BENGAL SECRETARIAT LIBRARY

COLLECTION

OF THE

PUBLIC GENERAL STATUTES,

PASSED IN THE

Sixteenth and Seventeenth Year

OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA:

Being the FIRST SESSION of the SIXTEENTH PARLIAMENT of the United Kingdom of *Great Britain* and *Ireland*.

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BENGAL SECRETARIAT LIBRARY

A

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OF

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xlvii. An Act for making certain Improvements in the River *Severn*, and for amending the Acts relating thereto. 757

xlviii. An Act for better supplying with Water the Borough of *Preston* in the County of *Lancaster*, and for authorizing the Local Board of Health for the Borough of *Preston* aforesaid to purchase the *Preston* Waterworks. 769

xlix. An Act to enable the *Edinburgh* Water Company to raise a further Sum of Money; and for other Purposes. 793

l. An Act to enable the *Dundee* Water Company to construct additional Works for obtaining a further Supply of Water; and for other Purposes. 797

li. An Act to authorize the *Wakefield* Borough Market Company to raise a further Sum of Money. 809

lii. An Act to authorize the Creation of Preference Stock by the *Manchester, Sheffield, and Lincolnshire* Railway Company in lieu of Debentures, and the Reduction, Division, and Consolidation into Stock of the *Manchester and Lincoln Union* Shares of the said Railway. 813

liii. An Act to repeal the Act for maintaining the Turnpike Road leading out of the *Alston* Turnpike Road at *Branch End* in the County of *Northumberland*, through *Catton*, *Allendale Town*, and *Allenheads*, to *Cows Hill* in the County of *Durham*, and to make other Provisions in lieu thereof. 821

liv. An Act for making a Railway from *Lough Swilly* in the County of *Donegal* to the River *Foyle* near the City of *Londonderry*. 833

lv. An Act to renew the Term and continue the Powers of an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Roads leading from* Picks Hill *near the Town of* Langport Eastover *in the County of* Somerset, *through* High Ham, Ashcott, *and other Places, to* Meare *in the said County*. 845

lvi. An

lvi. An Act to enable the Mayor, Aldermen, and Citizens of the City of *York* to purchase the Undertaking of the *Foss* Navigation Company, and to execute Works for the sanitary Improvement of the said City; to alter the Tolls taken in the Cattle Markets and Fairs of the City; and for other Purposes. 857

lvii. An Act to extend and amend the Powers and Provisions of the "*Portadown and Dungannon* Railway Act, 1847." 889

lviii. An Act to amend an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, for granting certain Powers and Authorities to the *Australian* Agricultural Company, and to alter the Capital of the said Company. 893

lix. An Act for better supplying with Water the Town or Village of *Bacup* and the Neighbourhood thereof in *Lancashire*. 905

lx. An Act to amend the Acts relating to the *Great Northern* Railway Company, to authorize an Increase of Capital, and for other Purposes. 917

lxi. An Act to consolidate and amend Three several Acts passed in the Reign of King *George* the Third, for draining and preserving certain Fen Lands and Low Grounds lying in the *South Level*, Part of the Great Level of the Fens commonly called *Bedford Level*, and in the County of *Cambridge*, between the River *Cam* otherwise *Grant*, West, and the Hard Lands of *Bottisham*, *Swaffham-Bulbeck*, and *Swaffham Prior*, East; and for other Purposes therein mentioned. 929

lxii. An Act for more effectually repairing the Road from *Gravesend* to *Wrotham*, and from thence to *Borough Green*, all in the County of *Kent*. 969

lxiii. An Act for making a Railway from *Dartford* in the County of *Kent* to *Farningham* in the same County, to be called the *Darenth Valley* Railway; and for other Purposes. 977

lxiv. An Act for constructing a Market for the Sale of Cattle and other Animals in the Borough of *Ludlow* in the County of *Salop*. 993

lxv. An Act to amend the Acts relating to the Drainage and Embankment of certain Lands in *Lough Swilly* and *Lough Foyle* in the Counties of *Donegal* and *Londonderry*. 1001

lxvi. An Act for supplying with Water the Town of *Weston-super-Mare* in the County of *Somerset*. 1009

lxvii. An Act for supplying the Borough of *Wigan* in the County Palatine of *Lancaster* with Water, for the better Regulation of the Police therein, and for other Purposes. 1021

lxviii. An Act to enable the *Belfast and Ballymena* Railway Company to make a Railway from *Randalstown* to *Cookstown*; and for other Purposes. 1053

lxix. An Act for enabling the *North and South Western Junction* Railway Company to construct a Branch to near *Hammersmith*, and to raise additional Capital; and for other Purposes. 1069

lxx. An

lxx. An Act to authorize the Abandonment of a Portion of the Undertaking of the *Thames Haven* Dock and Railway Company, and to reduce the Capital of the said Company, and to enable the Company to sell Lands not required; and for other Purposes. 1097

lxxi. An Act for more effectually repairing the Roads from *Warminster* and from *Frome* to the *Bath* Road, and other Roads connected therewith, in the Counties of *Wilts* and *Somerset*, called or known by the Name of "The *Black Dog* Road Trust." 1105

lxxii. An Act for enlarging and improving the Shire Hall of the County of *Stafford*; removing the Markets at the Back of the Hall, and providing other Market Accommodation in lieu thereof; erecting Rooms and Offices for the Town Council of *Stafford*; and for other Purposes. 1121

lxxiii. An Act to amend the Acts for the Regulation of Municipal Corporations in *Ireland* so far as relates to the Borough of *Limerick*. 1137

lxxiv. An Act to amend and extend the Provisions of the Act relating to the *Leeds* and *Whitehall* Turnpike Roads, and to create a further Term therein, and for other Purposes. 1145

lxxv. An Act for repairing, maintaining, and rendering more safe certain Reservoirs on the *Adel Beck* in the West Riding of the County of *York*. 1169

lxxvi. An Act to amend "The *Sunderland* Dock Act, 1846," and "The *Sunderland* Dock Amendment Act, 1849," and for other Purposes. 1193

lxxvii. An Act for the Establishment or Improvement and Regulation of Markets and Fairs in the Borough of *Leominster*, and for other Purposes relating to the said Borough. 1201

lxxviii. An Act for making a Railway from the *Hawick* Branch of the *North British* Railway, near to the *Eskbank* Station, to the Royal Burgh of *Peebles*. 1225

lxxix. An Act to authorize an Extension of the *Londonderry and Coleraine* Railway. 1241

lxxx. An Act for making a Railway from *Ballymena* to *Portrush*. 1253

lxxxi. An Act to confirm certain Preference Shares created by the *North British* Railway Company, and to make better Provision for the Payment of the Debts of the said Company, and for other Purposes. 1269

lxxxii. An Act to enable the *Scottish Midland Junction* Railway Company to make Branch Railways to *Blairgowrie* and *Kirriemuir*; and to amend the Acts relating to such Company; and for other Purposes. 1281

lxxxiii. An Act for the better Improvement and Regulation of the Borough of *South Shields* in the County of *Durham*, the Establishment of a Cemetery therein, and for other Purposes. 1293

lxxxiv. An Act to unite into One Company the *Bristol* Gaslight Company and the *Bristol and Clifton* Gaslight Company, and to enable the united Companies to raise further Capital. 1321

lxxxv. An Act for making a Railway from *Staines* to *Wokingham* and *Woking*. 1337

lxxxvi. An Act for making a Railway from *Wimbledon* to *Croydon* in the County of *Surrey*, to be called "The *Wimbledon and Croydon* Railway," and for other Purposes. 1361

lxxxvii. An Act to enable the *Eastern Counties* Railway Company to construct a Railway from the Line of the *Northern and Eastern* Railway near *Stratford* to *Woodford* and *Loughton*; and to repeal certain Provisions of their existing Acts; and to grant further Powers to the said Company for capitalizing their Debt; and for other Purposes. 1381

lxxxviii. An Act for making a Railway from the *London, Brighton, and South Coast* Railway to or near to the Town of *East Grinstead* in the County of *Sussex*. 1397

lxxxix. An Act for better supplying with Water the Towns and Villages of *Haslingden*, *Rawtenstall*, and *Newchurch*, and the Townships of *Haslingden*, *Higher Booths*, *Lower Booths*, *Newchurch*, and *Hapton*, in the Parish of *Whalley*, the Townships of *Cowpe Lench*, *New Hall Hey*, and *Hall Carr*, and *Tottington Higher End*, in the Parish of *Bury*, and the Extra-parochial Places of *Hen Heads* and *Dunnockshaw*, all in the County Palatine of *Lancaster*. 1413

xc. An Act to enable the *Monkland* Railways Company to make certain Railways in the Vicinity of *Bathgate* and *Airdrie*; and for other Purposes. 1429

xci. An Act to authorize the Mayor, Aldermen, and Citizens of the City of *Manchester* to make certain new Streets; and to amend the Acts relating to the said City; and for other Purposes. 1445

xcii. An Act to repeal an Act of the Seventh Year of the Reign of King *George* the Fourth, for making and maintaining a Turnpike Road from *Wimpole* to *Wrestlingworth* and *Potton*, and to make other Provisions in lieu thereof. 1489

xciii. An Act to incorporate a Company for making a Railway from *Kingston-upon-Hull* to or near to *Withernsea* in *Holderness*, with a Branch therefrom; and for other Purposes. 1497

xciv. An Act to enable the *Glasgow and South-western* Railway Company to make a Branch Railway to near *Mayfield* in the County of *Ayr*. 1521

xcv. An Act for extending the Time granted by "The *Rochester Bridge* Act, 1846," for the Completion of such Bridge. 1533

xcvi. An Act to enable the *Limerick, Ennis, and Killaloe Junction* Railway Company to lease their Undertaking; and for other Purposes. 1537

xcvii. An Act to enable the *East and West India Docks and Birmingham Junction* Railway Company to raise additional Capital; and for other Purposes. 1541

xcviii. An Act to amend the *Gorbals* Gravitation Water Company's Acts, to authorize the Extension of their Works to supply the Royal Burgh of *Renfrew* and Suburbs and other Places with Water, and for other Purposes. 1553

xcix. An

xcix. An Act for making a Railway from *Havant* in the County of *Southampton* to *Godalming* in the County of *Surrey*, to be called "The *Portsmouth* Railway;" and for other Purposes. 1561

c. An Act to enable the *London, Brighton, and South Coast* Railway Company to enlarge their Station at *London Bridge*, and their Goods Station at *Brighton*, and to make a Branch Railway to the *Crystal Palace*; and for converting the Debenture Debt of the *London, Brighton, and South Coast* Railway Company into Stock or Shares; and for other Purposes. 1581

ci. An Act to enable the *Aberdeen* Railway Company to raise further Monies; to authorize the Abandonment of the authorized Road to the Quays through the Station at *Aberdeen*, and the Formation of another Road in lieu thereof; to extend the Time for the compulsory Purchase of Lands and for the Completion of the *Aberdeen* Station; to alter, amend, and extend the Acts relating to the Company; and for other Purposes. 1605

cii. An Act to repeal an Act for making and maintaining a Road from the Top of *Hunt's Bank* in the Town of *Manchester* in the County of *Lancaster* to join the *Manchester and Bury* Turnpike Road in *Pilkington* in the same County, and to substitute other Provisions in lieu thereof. 1637

ciii. An Act for amending the Provisions with respect to the Commissioners of the Second District for Drainage by the River *Witham* contained in the *Witham* Drainage Act of the Second Year of *George* the Third, Chapter Thirty-two, and for other Purposes, and of which the Short Title is "The *Witham* Drainage Second District Act, 1853." 1649

civ. An Act for more effectually repairing and maintaining the Road from *Burford* in the County of *Oxford* to *Leachlade* in the County of *Gloucester*, the Road from thence through *Highworth* to the *Cricklade and Swindon* Turnpike Road in the County of *Wilts*, and the Bridge on the said Roads across the River *Isis* or *Thames* at or near the Town of *Leachlade* aforesaid; and for granting a further Term in the said Roads and Bridge; and for other Purposes. 1653

cv. An Act to amend an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act for making a Turnpike Road from* Shipley *to* Bramley, *together with certain Branches therefrom, in the West Riding of the County of* York. 1669

cvi. An Act to authorize the *London Dock* Company to make a new Entrance to their Docks from the River *Thames* and other Works, and to augment their Capital Stock; and for other Purposes connected with the said Docks. 1681

cvii. An Act for the Maintenance of the existing Works of the Company of Proprietors of the *Barnsley* Waterworks, and, for the Purchase of Lands by them, to repeal their Act, and make other Provisions in lieu thereof. 1713

cviii. An Act to enable the *Midland* Railway Company to make a Line of Railway from near *Leicester* to the *Great Northern* Railway near *Hitchin*, with a Branch, in lieu of the Line of Railway and Branches authorized by "The *Midland* Railways Extension to *Hitchin, Northampton,*

ampton, and *Huntingdon* Railway Act, 1847," and "The *Midland* Railways Extension to *Hitchin*, *Northampton*, and *Huntingdon* Railway (*Wellingborough* Deviations) Act, 1848." 1733

cix. An Act to authorize the Re-issue of certain of the Shares in the Capital of the *York and North Midland* Railway Company, called *Hull and Selby* Purchase, &c. Shares, and for other Purposes. 1761

cx. An Act to enable the *London and North-western* Railway Company to acquire and hold certain Lands and Buildings at or near the Terminus of the *Haydon Square* Branch of the *London and Blackwall* Railway; and for other Purposes. 1769

cxi. An Act to enable the *Leeds, Bradford, and Halifax Junction* Railway Company to construct certain Branch Railways in the West Riding of the County of *York*; and for other Purposes. 1773

cxii. An Act to repeal the Act for repairing the *Alston* Turnpike Roads, and to make other Provisions in lieu thereof. 1785

cxiii. An Act for making a Railway from the *Great Southern and Western* Railway near *Roscrea* to *Parsonstown*, to be called "The *Roscrea and Parsonstown Junction* Railway," and for other Purposes. 1801

cxiv. An Act to authorize the Abandonment of a Portion of the Undertaking of the *Limerick, Ennis, and Killaloe Junction* Railway Company, and the Construction of a new Line of Railway in lieu of a Portion of the Line to be abandoned; and to revive in respect of a Portion of the said Undertaking the Powers of the said Company for the compulsory Purchase of Lands, and to extend in respect of the same Portion of the said Undertaking the Powers of the said Company for constructing Works; and to amend and repeal Portions of the Act relating to the said Company; and for other Purposes. 1817

cxv. An Act for the better Maintenance and Repair of the Highways in *Wildmore Fen* and the *East* and *West Fens* in the County of *Lincoln*, and for other Purposes, and of which the Short Title is "The *Wildmore Fen* and *East* and *West Fens* Highways Act, 1853." 1841

cxvi. An Act for reviving the Powers of the *South-eastern* Railway Company for taking Lands and Buildings for the Purpose of enlarging their *London Bridge* Station on the North Side thereof, and for extending for a further Period such Powers, and for other Purposes. 1861

cxvii. An Act to enable the *Eastern Counties* Railway Company to construct Branch Railways from the *North Woolwich* Line of the *Eastern Counties* Railway to *Ham Creek* and the River *Thames*; and for other Purposes. 1869

cxviii. An Act for more effectually improving the Town of *Burton-upon-Trent* in the County of *Stafford*. 1877

cxix. An Act to authorize the Abandonment of the *Carlisle* Canal, and the making of a Railway in lieu thereof, from the *Newcastle-upon-Tyne and Carlisle* Railway at *Carlisle* to *Port Carlisle*; to repeal the Acts relating to the *Carlisle* Canal and Docks, and to re-incorporate the Company; to authorize the raising of a further Sum of Money; and to confer additional Powers; and for other Purposes. 1889

cxx. An

cxx. An Act to alter and amend the Provisions of "The Governor and Company of Copper Miners Act, 1851," and to confer further Powers on the said Company. 1933

cxxi. An Act to enable the *South-eastern* Railway Company to extend the *Reading, Guildford, and Reigate* Railway to the *Great Western* Railway at *Reading*; and for other Purposes. 1941

cxxii. An Act to enable the *Warrington and Altrincham Junction* Railway Company to extend their Railway to *Stockport*. 1949

cxxiii. An Act for incorporating and regulating the Electric Telegraph Company of *Ireland*, and for better enabling the Company to establish and work Telegraphs in *Scotland* and *Ireland* and between those Countries; and for other Purposes. 1965

cxxiv. An Act for making a Railway from *Spalding* to *Sutton Bridge* and *Wisbeach*. 1993

cxxv. An Act for making a Railway commencing by a Junction with the *Scottish Central* Railway at *Stirling*, and terminating by a Junction with the *Caledonian and Dumbartonshire Junction* Railway at *Alexandria*, to be called "The *Forth and Clyde Junction* Railway." 2025

cxxvi. An Act for making Turnpike Roads from *Upton Saint Leonard's* to *Brimpsfield* and *Birdlip* in the County of *Gloucester*. 2045

cxxvii. An Act for enabling the Local Board of Health for the District of *Dewsbury* to construct Waterworks; and for other Purposes. 2057

cxxviii. An Act to authorize the opening of a Diversion of the *Wakefield and Sheffield* Turnpike Road, and for other Purposes. 2089

cxxix. An Act for the Improvement of the Harbour of *Saint Ives* in the County of *Cornwall*. 2097

cxxx. An Act to enable the *South-eastern* Railway Company to make a Railway from *Strood* to *Maidstone*; and for other Purposes. 2125

cxxxi. An Act to authorize the Construction of additional Docks and other Works in connexion with the *Victoria* (*London*) Docks, and to consolidate and amend the Provisions of the Act relating to such Docks. 2145

cxxxii. An Act for making a Railway from *Strood* to *Canterbury*, with Branches to *Faversham Quays* and *Chilham*. 2181

cxxxiii. An Act for supplying with Water the Inhabitants of *Walsall*, *Dudley*, and other Places in the Southern Parts of the County of *Stafford*, and in certain Parts of the County of *Worcester* adjacent thereto. 2205

cxxxiv. An Act to enable the *St. Helen's* Canal and Railway Company to extend their Railway to *Rainford*, and to enlarge their Stations at *Sutton*; and for other Purposes relating to the Company. 2229

cxxxv. An Act for more effectually repairing and improving several Roads leading to and from the Town of *Salford* through *Pendleton* and other Places in the County Palatine of *Lancaster*. 2241

cxxxvi. An Act for enabling the *Leeds Northern* Railway Company to create new Shares, and raise Money on Loan for discharging certain Liabilities; and for other Purposes. 2261

cxxxvii. An Act for making a Railway from *Bedale* to *Leyburn* in the North Riding of the County of *York*, to be called "The *Bedale and Leyburn* Railway," and for other Purposes, and of which the Short Title is "The *Bedale and Leyburn* Railway Act, 1853." 2265

cxxxviii. An Act for the Adjustment of the Debts of the Commissioners of the *Holme* Reservoirs, and of the Interest due thereon, and for enabling them to restore and repair their Reservoirs; and for other Purposes. 2281

cxxxix. An Act for paving, lighting, watching, draining, supplying with Water, cleansing, regulating, and otherwise improving the Town and Parish of *Spalding* in the County of *Lincoln*; for making a Cemetery; for erecting a Corn Exchange and Market House therein; and for other Purposes. 2317

cxl. An Act for making a Railway from the *North Devon* Railway at *Fremington Pill* to *Bideford*, to be called "The *Bideford Extension* Railway." 2361

cxli. An Act for the better paving, repairing, lighting, cleansing, watering, regulating, and improving such Parts of the Parish of *Saint Mary Whitechapel* in the County of *Middlesex* as are not within the Liberties of Her Majesty's *Tower of London* and the City of *London*; and for paving, repairing, watering, and regulating certain Parts of other Parishes and Places adjoining; and for removing and preventing Nuisances, Annoyances, and Obstructions therein; and for raising Money for the Relief, Maintenance, and Employment of the Poor within the said Parish; and for raising Money for repairing the Church of the said Parish. 2377

cxlii. An Act to enable the *Great Southern and Western* Railway Company to divert the *Glanmire Road Lower* in the Parish of *Saint Anne's Shandon* in the County of the City or Borough of *Cork*, and to make a small Portion of Railway in that Parish; and for other Purposes. 2421

cxliii. An Act for making a Railway from *Llanidloes* in the County of *Montgomery* to *Newtown* in the same County, to be called the *Llanidloes and Newtown* Railway; and for other Purposes. 2429

cxliv. An Act to enable the *Waveney Valley* Railway Company to extend their Railway from *Bungay* to *Beccles*. 2441

cxlv. An Act for altering and extending the Line of the *Barnsley* Branch of the *Manchester, Sheffield, and Lincolnshire* Railway Company; for extending the Time for the Completion of certain Works at *Sheffield*; for amending the Acts relating to the said Company; and for other Purposes. 2453

cxlvi. An Act for amending the Acts relating to the "*Llynvi Valley* Railway Company," and for authorizing the Company to make Diversions in and improve their Line of Railway and construct a new Branch, and for better regulating the Harbour of *Porth Cawl* and the Rates leviable thereat; and for other Purposes. 2465

cxlvii. An

cxlvii. An Act to repeal the Act relating to the *Nantwich and Woore* Turnpike Road, and to make other Provisions in lieu thereof. 2481

cxlviii. An Act to authorize the Extension of the Railway already partly executed between *Smithstown* and *Dalmellington* in the County of *Ayr* to *Dalmellington*, and to the *Glasgow and South-western* Railway near *Ayr*. 2493

cxlix. An Act to enable the *Caledonian* Railway Company to extend the *Glasgow, Barrhead, and Neilston Direct* Railway to *Crofthead*; and for other Purposes. 2505

cl. An Act for confirming a certain Agreement entered into between the *Furness* Railway Company and *John Abel Smith* Esquire, and for enabling the *Furness* Railway Company to raise a further Sum of Money, and for authorizing the Conversion of the borrowed and Preferential Share Capital of the *Furness* Railway Company into a Stock not exceeding Four Pounds Ten Shillings *per Centum*, and for amending the Acts relating to the said Company and *Pile* Pier. 2517

cli. An Act to enable the *Edinburgh and Glasgow* Railway Company to connect their Line at *Glasgow* by Branches with the *Caledonian* Railway, and to extend their Station at *Cowlairs*. 2529

clii. An Act to sanction certain Arrangements between the *Edinburgh Perth, and Dundee* Railway Company, and certain Classes of the Creditors thereof. 2537

cliii. An Act for enabling the *Great Western* Railway Company to construct additional Lines and Works, or for conferring further Powers on them in reference to the *Henley* and *Uxbridge* Lines, and other Parts of their Undertaking at *Acton*, *Chippenham*, and *Reading*; and for other Purposes. 2581

cliv. An Act for incorporating the Lands Improvement Company, and to afford Facilities for the Improvement of Land by enabling the Company to issue transferable Mortgage Debentures. 2601

clv. An Act for making a Railway from the Town of *Saint Ives* to the *West Cornwall* Railway at or near *Saint Erth*, with a Branch therefrom, and for making Arrangements with the *West Cornwall* Railway Company. 2633

clvi. An Act for dissolving the *Canterbury and Whitstable* Railway Company, and for vesting in the *South-eastern* Railway Company the Undertaking of the *South-eastern and Continental* Steam Packet Company, and for other Purposes, and of which the Short Title is "The *South-eastern* Railway (*Canterbury and Whitstable* and Steam Packets) Act, 1853." 2649

clvii. An Act for conferring additional Powers on the *London and North-western* Railway Company with reference to the Construction of their *Oldham* Branch, and for making an Alteration in such Branch; and for other Purposes. 2657

clviii. An Act for the Purchase of the Bridge and Ferry over the River of *Ross* at the Town of *New Ross*, and for maintaining the same free of Toll, and for other Purposes. 2665

clix. An

clix. An Act for repealing and amending an Act passed in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, called "The *British* Electric Telegraph Company's Act, 1850." 2685

clx. An Act to enable the *London and North-western* Railway Company to construct a Railway from *Northampton* to *Market Harborough*, with a Branch therefrom, all in the County of *Northampton*; and for other Purposes. 2713

clxi. An Act to enable the *London and North-western* Railway Company to construct a Branch Railway to *Saint Albans*, and for other Purposes. 2733

clxii. An Act to repeal the Acts for repairing the Roads from *West Harptry* to the *Bath and Wells* Turnpike Road at *Marksbury*, and other Roads therein mentioned, in the County of *Somerset*, and to make other Provisions in lieu thereof. 2741

clxiii. An Act to enable the *East Lancashire* Railway Company to extend their Railway to *Rainford*, to enter into Arrangements with the *St. Helen's* Canal and Railway Company, and to convert their Mortgage Debt into Annuities. 2753

clxiv. An Act for amending the Acts passed for the Construction of the *Basingstoke and Salisbury* Railway, and for other Purposes, and of which the Short Title is "The *London and South-western* Railway (*Basingstoke and Salisbury*) Act, 1853." 2765

clxv. An Act for authorizing Arrangements for the Completion of the *Birkenhead* Docks. 2769

clxvi. An Act for enabling the *East London* Waterworks Company to improve their Supply of Water; and for other Purposes. 2781

clxvii. An Act for the Improvement of the Borough of *Halifax*, and for other Purposes, and of which the Short Title is "The *Halifax* Improvement Act, 1853." 2825

clxviii. An Act for making a Railway from *Limerick* to *Foynes*. 2885

clxix. An Act for enabling the *Llanelly* Railway and Dock Company to make new Railways, and for other Purposes, and of which the Short Title is "The *Llanelly* Railway and Dock Act, 1853." 2905

clxx. An Act to repeal the Acts relating to the *Ribble* Navigation Company, of the First Year of the Reign of Her present Majesty, Chapter Eight, and of the Seventh Year of the Reign of Her present Majesty, Chapter One, and some of the Provisions of the Act of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter One hundred and sixteen, which relate to the Company, and to make other Provisions in lieu thereof respectively; and to grant further Powers to the Company for the Construction of Works, for providing Quays, for raising Capital, for levying Tolls, for regulating the Disposition of the reclaimed Lands, and for other Purposes. 2937

clxxi. An

clxxi. An Act to enable the *Whitehaven and Furness Junction* Railway Company to make Branch Railways; and for other Purposes. 2997

clxxii. An Act to enable the *Blyth and Tyne* Railway Company to construct Branches in the County of *Northumberland;* and for other Purposes. 3009

clxxiii. An Act for constructing and maintaining Docks and other Works at or near to *Milford Haven*, and for other Purposes. 3025

clxxiv. An Act for making a Railway from *Enniskillen* to *Sligo*, with a Branch therefrom. 3053

clxxv. An Act for providing additional Station Accommodation at *Birmingham* in connexion with the *Birmingham and Oxford Junction* Railway; and for enabling the *Great Western* Railway Company to use a Portion of the *Oxford, Worcester, and Wolverhampton* Railway; and for making better Provision with reference to the joint Station at *Wolverhampton;* and for other Purposes. 3069

clxxvi. An Act to amend and enlarge the Powers and Provisions of "The *Westminster* Improvement Act, 1845," "The *Westminster* Improvement Act, 1847," and "The *Westminster* Improvement Act, 1850;" to extend the Time for the compulsory Purchase of Lands; to authorize further Improvements in the City of *Westminster;* and for other Purposes. 3081

clxxvii. An Act to amend the Acts relating to the *Birkenhead* Dock Company, and to enable the Company to make a Railway for their Works, and for other Purposes, and of which the Short Title is "The *Birkenhead* Dock Company's Act, 1853." 3145

clxxviii. An Act to authorize the *Newport, Abergavenny, and Hereford* Railway Company to make Deviations on their Extension to the *Taff Vale* Railway, and to make certain short Branches. 3161

clxxix. An Act to authorize Deviations at *Hereford* and near *Pontypool* of the *Newport, Abergavenny, and Hereford* Railway, and to amend the Acts relating to that Railway. 3169

clxxx. An Act for making a Railway to the *Crystal Palace*, with Branches to the *London, Brighton, and South Coast* Railway, and to the *London and South-western* Railway. 3177

clxxxi. An Act for the Improvement of the Parish of *Chorley* in the County of *Lancaster.* 3201

clxxxii. An Act for the more effectual Improvement of the Borough of *Newcastle-upon-Tyne.* 3241

clxxxiii. An Act to enable the *Newry and Enniskillen* Railway Company to extend their Railway to the Landing Quay at *Newry*, to effect a Junction with the *Dublin and Belfast Junction* Railway, and for other Purposes. 3265

clxxxiv. An Act for making a Railway from *Worcester* to *Hereford*, with certain Branches therefrom, and for other Purposes. 3273

clxxxv. An Act for improving and maintaining the Port and Harbour of *Westport* in the County of *Mayo*. 3305

clxxxvi. An Act for making a Railway from the North-western District of the Metropolis to *Battle Bridge* in the County of *Middlesex*. 3325

clxxxvii. An Act to enable the *West Cornwall* Railway Company to make certain new Railways; and for other Purposes. 3345

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PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

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NOT PRINTED.

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31. An Act for the Restitution in Blood of *George Drummond* Esquire, Duke *de Melfort* and Comte *de Lussan* in *France*, and to relieve the said *George Drummond* and the Heirs Male of *James* First Earl of *Perth* from the Effect of the Attainder of *James Drummond*, commonly called Lord *Drummond*, eldest Son of *James* Fourth Earl of *Perth*, and from the Effect of the Attainder of *John Drummond*, Second Son of the said *James Drummond*, and from the Effect of a Decreet of Forfaulture pronounced by the Parliament of *Scotland* against *John* Earl of *Melfort*.

32. An Act to dissolve the Marriage of *Alfred Richard Cutbill* with *Elizabeth* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

33. An Act to dissolve the Marriage of *George Fisher* Esquire with *Mary Matilda Fisher* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

34. An Act to enable *Charles Crowe* Clerk to exercise his Office of a Priest, and to hold any Benefice or Preferment, in the United Church of *England* and *Ireland*.

35. An Act to dissolve the Marriage of *Robert Frederick Brownlow Rushbrooke* with *Albinia Maria* his now Wife, and to enable him to marry again; and for other Purposes.

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TO THE

PUBLIC GENERAL ACTS,

16° & 17° VICTORIÆ,

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W. - - - - - Wales exclusively.
S. - - - - - Scotland.
I. - - - - Ireland.
E. & I. - - - England and Ireland.
G.B. - - - - Great Britain.
G.B. & I. - - - Great Britain and Ireland.
U.K. - - - The whole of the United Kingdom.

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CONVICTED PRISONERS REMOVAL AND CONFINEMENT; for enabling the Justices of Counties to contract in certain Cases for the Maintenance and Confinement of convicted Prisoners in the Gaols of adjoining Counties - - - -	43.	E.
CONVICTS, FEMALE; for providing Places of Confinement in England or Wales for Female Offenders under Sentence or Order of Transportation - - - -	121.	E.
COPYHOLDS; to explain and amend the Copyhold Acts -	57.	E.
COPYHOLD AND INCLOSURE COMMISSIONS, to continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts - - -	124.	E.
CORPORATIONS, MUNICIPAL, for making sundry Provisions with respect to - - - - - -	79.	E.
——— *See also* BELFAST MUNICIPAL BOUNDARIES.		
COUNTIES, UNION OF. *See* SHERIFFS.		
COUNTY CESS. *See* GRAND JURY CESS.		

	Cap.	Relating to
COUNTY ELECTION POLLS; to amend the Law as to taking the Poll at Elections of Members to serve in Parliament -	28.	S.
——— to limit the Time of taking the Poll in Counties at contested Elections for Knights of the Shire to serve in Parliament in England and Wales to One Day -	15.	E.
——— to limit the Time for proceeding to Election in -	68.	E.
——— *See also* PARLIAMENTARY ELECTIONS.		
COUNTY GAOLS; for enabling the Justices of, to contract, in certain Cases, for the Maintenance and Confinement of convicted Prisoners in the Gaols of adjoining Counties -	43.	E.
COUNTY LUNATIC ASYLUMS; to consolidate and amend the Laws for the Provision and Regulation of Lunatic Asylums for Counties and Boroughs, and for the Maintenance and Care of Pauper Lunatics - - - - - -	97.	E.
COURT OF BANKRUPTCY; to reduce the Salary and Emoluments of the Registrar of Meetings of the Court of Bankruptcy -	81.	E.
COURT OF CHANCERY; for making further Provision for the Execution of the Office of Examiner of the Court of Chancery	22.	E.
——— relating to the Appointment of Persons to administer Oaths in Chancery, and to Affidavits made for Purposes connected with Registration - - -	78.	G.B.&I.
——— for the better Relief of the Suitors of - -	98.	G.B
COURTS OF COMMON LAW; to amend the Procedure in the Superior Courts of Common Law - - -	113.	I.
——— to make better Provision for the efficient Discharge of the Duties of the Taxing Officer in and for Common Law Business - - - - - -	55.	I.
COURTS OF JUSTICE (SCOTLAND); for empowering the Sheriff and Commissary of Berwickshire to hold Courts at Dunse, and for other Purposes - - - - - -	27.	S.
——— to facilitate Procedure in Sheriff Courts - -	80.	S.
CRIMES AND OFFENCES; for the better Prevention and Punishment of aggravated Assaults upon Women and Children, and for preventing Delay and Expense in the Administration of certain Parts of the Criminal Law	30	E.
——— to make further Provision for staying Execution of Judgment for Misdemeanors upon giving Bail in Error -	32.	E.
——— to extend the Remedies for the Compensation of malicious Injuries to Property - - -	38.	I.
——— for the Punishment of Offences in the Colonies in relation to the Coin - - - - - -	48.	U.K.
——— to continue 11 & 12 Vict. c. 2., for the better Prevention of Crime and Outrage - - - -	72.	I.
——— to substitute, in certain Cases, other Punishment in lieu of Transportation - - - - - -	99.	U.K.
——— to amend 6 & 7 Vict. c. 34., for the better Apprehension of certain Offenders - - - - -	118.	E.
——— for providing Places of Confinement in England or Wales for Female Offenders under Sentence or Order of Transportation - - - - - -	121.	E.
——— *See also* MUTINY.		
CROWN REVENUES. *See* LAND REVENUES OF THE CROWN.		
CUSTOMS; to amend and consolidate the Laws relating to the Customs of the United Kingdom and of the Isle of Man, and certain Laws relating to Trade and Navigation and the British Possessions - - -	107.	U.K.
——— to alter certain Duties of - - - -	54.	U.K
——— for consolidating Customs Duties Acts - -	106.	U.K.

D.

	Cap.	Relating to
DEAD, BURIAL OF. *See* BURIAL OF THE DEAD.		
DESERTION. *See* ARMY.		
DISAFFORESTMENT of Whichwood Forest - - -	36.	E.
——— of Whittlebury otherwise Whittlewood Forest - -	42.	E.
——— *See also* NEW FOREST DEER REMOVAL.		
DISORDERS (CONTAGIOUS OR INFECTIOUS), to continue 11 & 12 Vict. c. 107. to prevent the spreading of, among Sheep, Cattle, and other Animals - - - -	62.	U.K.
DORCHESTER and DUDLEY, to confirm and extend certain Provisional Orders of the General Board of Health for the Towns of - - - - - - -	24.	E.
DRAINAGE OF LANDS, to amend the Acts for promoting the Drainage of Lands, and Improvements in connexion therewith - - - - - - - -	130.	I.
DUBLIN PARLIAMENTARY REGISTRATION; to authorize the Appointment of Barristers for the Purpose of effecting a complete annual Revision of Lists and Registry of Voters for the City of Dublin, and to remove Doubts as to the Rate Books for the Purposes of such Registry - - -	58.	I.
DUBLIN CARRIAGE; to consolidate and amend the Laws relating to Hackney and Stage Carriages, also Job Carriages and Horses, and Carts let for Hire, within the Police District of Dublin Metropolis - - - - - -	112.	I.
DUDLEY. *See* DORCHESTER.		
DUNSE. *See* SHERIFF AND COMMISSARY COURTS.		
DUTIES. *See* SOAP. SPIRITS.		
DUTIES. *See* ASSESSED TAXES. CUSTOMS. EXCISE. HACKNEY CARRIAGES. HORSES LET FOR HIRE. LEGACIES. LETTERS PATENT. NEWSPAPERS. SOAP. SPIRITS. STAMP DUTIES. SUCCESSION DUTY.		

E.

EAST INDIES. *See* INDIA.		
ECCLESIASTICAL CORPORATIONS, to effect Exchange of Patronage by - - - - - - -	50.	E.
ECCLESIASTICAL JURISDICTION, for further continuing certain temporary Provisions concerning - - -	108.	E.
ELECTIONS, PARLIAMENTARY; to amend the Law as to taking the Poll at Elections of Members to serve in Parliament -	28.	S.
——— to limit the Time for proceeding to Election in Counties and Boroughs in England and Wales, and for polling at Elections for the Universities of Oxford and Cambridge - - - - - - -	68.	E.
——— to limit the Time of taking the Poll in Counties at contested Elections for Knights of the Shire to serve in Parliament in England and Wales to One Day -	15.	E.
——— *See also* DUBLIN PARLIAMENTARY REGISTRATION.		
ELLAND, to confirm and extend certain Provisional Orders of the General Board of Health for the Town of - -	24.	E.
——— to provide for conducting the First Election of a Local Board of Health at - - - -	126.	E.
EMIGRANTS. *See* PASSENGERS BY SEA.		
ENCUMBERED ESTATES, for continuing and amending 12 & 13 Vict. c. 77. for facilitating the Sale and Transfer of -	64.	I.

	Cap.	Relating to
ENTAIL, to extend the Benefits of 11 & 12 Vict. c. 36. for the Amendment of the Law of - - - -	94.	S.
ESTATES, INCUMBERED, for continuing and amending 12 & 13 Vict. c. 77. for facilitating the Sale and Transfer of - -	64.	I.
EVIDENCE, to alter and amend 15 & 16 Vict. c. 27. for amending the Law of - - - - - - -	20.	S.
EVIDENCE, to amend 14 & 15 Vict. c. 99. [to amend the Law of Evidence] - - - - - - -	83.	E.
EXAMINER OF THE COURT OF CHANCERY, for making further Provision for the Execution of the Office of - - -	22.	E.
EXCHEQUER BILLS, raising 17,742,500*l.* for the Service of 1853 -	25.	U.K.
EXCISE; to repeal the Duties, Allowances, and Drawbacks on Soap - - - - - - -	39.	G.B.&I.
——— to impose additional Duties on Spirits in Scotland and Ireland; and to alter the countervailing Duties on Spirits the Manufacture of Guernsey, Jersey, Alderney, or Sark, imported into Scotland or Ireland, and the countervailing Duties and Drawbacks on the Removal of certain Mixtures and Compounds between Scotland, Ireland, and England respectively; and to amend the Laws relating to the collecting and securing the Duties of Excise upon Spirits - - -	37.	G.B.&I.

F.

FACTORIES, further to regulate the Employment of Children in -	104.	E.
FEES. *See* LETTERS PATENT.		
FEMALE CONVICTS; for providing Places of Confinement for Female Offenders under Sentence or Order of Transportation - - - - - - -	121.	E.
FORGERY OF BANK NOTES; to amend 1 G. 4. for the further Prevention of forging and counterfeiting Bank Notes - -	2.	E.
FRIENDLY SOCIETIES, to amend the Laws relating to the Investments of - - - - - - -	123.	E.
FURNACES, to abate the Nuisance arising from the Smoke of, in the Metropolis - - - - - - -	128.	E.

G.

GAMING. *See* BETTING HOUSES.		
GAOLS. *See* CONVICTED PRISONERS REMOVAL.		
GENERAL BOARD OF HEALTH; to confirm and extend certain Provisional Orders of the General Board of Health for the Towns of Wakefield, Elland, Wallasey, Dudley, Barnsley, Dorchester, and Welshpool - -	24.	E.
——— to confirm certain Provisional Orders of the General Board of Health for Accrington, Bangor, and Uxbridge, and to provide for conducting the First Election of a Local Board of Health at Elland -	126.	E.
GOVERNMENT ANNUITIES, to consolidate and amend the Laws, and to grant additional Facilities in relation to the Purchase of, through the Medium of Savings Banks, and to make other Provisions in respect thereof - - -	45.	G.B.&I.
GOVERNMENT OF INDIA, to provide for - - - -	95.	U.K.

	Cap.	Relating to
GRANADA. *See* NEW GRANADA.		
GRAND JURY CESS, to revive certain temporary Provisions relating to the Collection of - - - -	13.	I.
GRAND JURIES enabled to borrow Money from private Sources on the Security of Presentment, and for transferring to Counties certain Works constructed wholly or in part with Public Money - - - - - -	136.	I.
GUERNSEY. *See* SPIRITS.		

H.

HACKNEY CARRIAGES (METROPOLIS); for the better Regulation of Metropolitan, Stage, and Hackney Carriages, and for prohibiting the Use of advertising Vehicles -	33.	E.
——— to reduce the Duties payable in respect of, and to amend the Laws relating to the granting of Licences and Payment of Duties in respect of Metropolitan Stage and Hackney Carriages, and to make Provision as to the Charge for the Hire of Hackney Carriages in certain Cases - - - - -	127.	E.
HACKNEY CARRIAGES (DUBLIN); to consolidate and amend the Laws relating to Hackney Carriages within the Police District of Dublin Metropolis - - - -	112.	I.
HARBOURS, to enable Burghs to maintain and improve -	93.	S.
HEMPEN, &c. MANUFACTURES, to amend and continue 5 & 6 W. 4. c. 27., 3 & 4 Vict. c. 91., 5 & 6 Vict. c. 68., and 7 & 8 Vict. c. 47. relating to - - - - - -	103.	I.
HEREDITARY POSSESSIONS OF THE CROWN. *See* LAND REVENUES.		
HIGHWAY RATES, to continue 4 & 5 Vict. c. 59. for authorizing the Application of, to Turnpike Roads - - -	66.	E.
HORSES LET FOR HIRE, to repeal the Duties payable in respect of, and to grant new Duties on Licences to let Horses for Hire - - - - -	88.	G.B.
——— to consolidate and amend the Laws relating to Hackney and Stage Carriages, also Job Carriages and Horses, and Carts let for Hire, within the Police District of Dublin Metropolis - - - -	112.	I.
HULME (TOWNSHIP OF), to render valid certain Marriages in the Church of the Holy Trinity in - - - -	122.	E.

I.

IMPROVEMENT OF LANDS. *See* DRAINAGE OF LANDS.		
INCLOSURE OF LANDS; to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales - - -	3, 11. 120.	E.
INCLOSURE COMMISSION; to continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts - - - - -	124.	E.
INCOME TAX; for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices	34.	G.B.&I.
——— to extend for a limited Time the Provision for Abatement of, in respect of Insurances on Lives - -	91.	G.B.&I.
INCUMBERED ESTATES, for continuing and amending 12 & 13 Vict. c. 77. for facilitating the Sale and Transfer of - -	64.	I.

	Cap.	Relating to
INDEMNITY, annual Act to indemnify such Persons as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively - - - - - - - -	14.	U.K.
INDIA, to provide for the Government of - - -	95.	U.K.
——— *See also* PASSENGERS BY SEA.		
INFECTIOUS DISORDERS, to extend and continue 11 & 12 Vict. c. 107. to prevent the spreading of, among Sheep, Cattle, and other Animals - - - - - -	62.	U.K.
INJURIES (MALICIOUS) TO PROPERTY, to extend the Remedies for the Compensation of - - - - - -	38.	I.
INLAND REVENUE OFFICE; for enabling the Commissioners of Inland Revenue to dispose of certain Property in the City of London - - - - - - -	8.	E.
INQUISITIONS IN LUNACY. *See* LUNACY REGULATION.		
INSURANCE ON LIVES, to extend for a limited Time the Provision for Abatement of Income Tax in respect of - -	91.	G.B.&I.
INTERMENTS. *See* BURIAL OF THE DEAD.		
INVENTIONS. *See* PATENTS.		
INVESTMENTS OF FRIENDLY SOCIETIES, to amend the Laws relating to - - - - - - - -	123.	E.

J.

JERSEY. *See* SPIRITS.		
JUSTICES OF COUNTIES enabled to contract, in certain Cases, for the Maintenance and Confinement of convicted Prisoners in the Gaols of adjoining Counties - - - -	43.	E.

L.

LAND REVENUES OF THE CROWN, to authorize Advances out of the Consolidated Fund to discharge Monies borrowed on the Security of, for the Purpose of Metropolitan Improvements - - - -	18.	E.
——— to facilitate the Redemption of certain Charges on the Hereditary Possessions and Land Revenues of the Crown, and to make other Provisions in regard to the Management of such Hereditary Possessions and Land Revenues - - - - -	56.	E.
LANDS, DRAINAGE OF; to amend the Acts for promoting the Drainage of Lands, and Improvements in connexion therewith - - - - - - - -	130.	I.
LANDS, INCLOSURE OF; to authorize the Inclosure of certain Lands, in pursuance of a Report of the Inclosure Commissioners for England and Wales - - - -	3, 11, 120.	E.
LAND TAX, to reduce the Terms on which the Land Tax may be redeemed or purchased - - - -	74.	G.B.
——— to amend the Laws relating to the Application of the Monies arising from the Redemption and Purchase of	90.	G.B.
——— to amend the Laws relating to the Redemption and Purchase of - - - - -	117.	G.B.
LAND TAX COMMISSIONERS NAMES; to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes - - -	111.	G.B.

	Cap.	Relating to
LEGACIES, for altering certain Provisions of the Acts charging Duties on Legacies and Shares of Personal Estates - -	51.	G.B.&I.
LETTERS PATENT; to substitute Stamp Duties for Fees on passing Letters Patent for Inventions, and to provide for the Purchase for the public Use of certain Indexes of Specifications - - - - - -	5.	G.B.&I.
——— to amend certain Provisions of the Patent Law Amendment Act, 1852, in respect of the Transmission of certified Copies of Letters Patent and Specifications to certain Offices in Edinburgh and Dublin, and otherwise to amend said Act - - -	115.	G.B.&I.
LIBERATED AFRICANS (SIERRA LEONE); to remove Doubts as to the Rights of - - - - - -	86.	U.K.
LIBRARIES (PUBLIC), to extend the Public Libraries Act, 1850, (13 & 14 Vict. c. 65.,) to Ireland and Scotland - -	101.	G.B.&I.
LICENCES. *See* HACKNEY CARRIAGES. HORSES LET TO HIRE.		
LINEN, &c. MANUFACTURES, to amend and continue 5 & 6 W. 4. c. 27., 3 & 4 Vict. c. 91., 5 & 6 Vict. c. 68., and 7 & 8 Vict. c. 47. relating to - - - - - -	103.	I.
LIFE INSURANCE; to extend for a limited Time the Provision for Abatement of Income Tax in respect of Insurances on Lives	91.	G.B.&I.
LOANS. *See* PUBLIC WORKS LOANS.		
LOAN SOCIETIES, to continue 3 & 4 Vict. c. 110. to amend the Laws relating to - - - - - -	109.	E.
LODGING HOUSES. *See* COMMON LODGING HOUSES.		
LONDON. *See* INLAND REVENUE. METROPOLIS SMOKE NUISANCE. METROPOLITAN BURIALS. METROPOLITAN IMPROVEMENTS.		
LUNACY REGULATION; for the Regulation of Proceedings under Commissioners of Lunacy, and the Consolidation and Amendment of the Acts respecting Lunatics so found by Inquisition, and their Estates - - -	70.	U.K.
LUNATICS, to amend 8 & 9 Vict. c. 100. for the Regulation of the Care and Treatment of - - -	96.	E.
LUNATIC ASYLUMS; to consolidate and amend the Laws for the Provision and Regulation of Lunatic Asylums for Counties and Boroughs, and for the Maintenance and Care of Pauper Lunatics - - - - -	97.	E.

M.

MAGISTRATES (RESIDENT), to amend the Acts regulating the Salaries of - - - - - - -	60.	I.
MALICIOUS INJURIES TO PROPERTY; to extend the Remedies for the Compensation of - - - - - -	38.	I.
MANUFACTURES (HEMPEN, LINEN, &c.), to amend and continue 5 & 6 W. 4. c. 27., 3 & 4 Vict. c. 91., 5 & 6 Vict. c. 68., and 7 & 8 Vict. c. 47., relating to - - -	103.	I.
MARINE MUTINY; for the Regulation of Her Majesty's Royal Marine Forces while on shore - - - -	10.	U.K.
MARINES. *See* SEAMEN.		
MARRIAGES; to render valid certain Marriages solemnized in the Church of the Holy Trinity in the Township of Hulme -	122.	E.
MAURITIUS; to amend 11 & 12 Vict. c. 130. for guaranteeing the Interest on Loans raised by the British Colonies on the Continent of South America, in the West Indies, and the Mauritius, for certain Purposes - - - -	4.	U.K.

	Cap.	Relating to
MEMBERS OF PARLIAMENT, to amend the Law as to taking the Poll at Elections of - - - -	28.	S.
——— to limit the Time for proceeding to Election of, in Counties and Boroughs in England and Wales, and for polling at Elections for the Universities of Oxford and Cambridge - - - -	68.	E.
——— to limit the Time of taking the Poll in Counties at contested Elections to One Day - - -	15.	E.
MERCHANT SHIPPING, to amend various Laws relating to -	131.	U.K.
——— *See also* PILOTAGE.		
METROPOLIS HACKNEY CARRIAGES. *See* HACKNEY CARRIAGES.		
METROPOLIS SMOKE NUISANCE; to abate the Nuisance arising from the Smoke of Furnaces in the Metropolis, and from Steam Vessels above London Bridge - - -	128.	E.
METROPOLITAN BURIALS; to amend the Laws concerning the Burial of the Dead beyond the Limits of the Metropolis; and to amend the Act concerning the Burial of the Dead in the Metropolis - - - - - -	134.	E.
METROPOLITAN IMPROVEMENTS; to authorize Advances out of the Consolidated Fund to discharge Monies borrowed on the Security of the Land Revenues of the Crown for the Purpose of Metropolitan Improvements, and providing for the Payment of such Advances, and of certain Monies charged on the London Bridge Approaches Fund - -	18.	E.
——— *See also* BATTERSEA PARK. PIMLICO IMPROVEMENT. SPITALFIELDS TO SHOREDITCH. THAMES EMBANKMENT. WESTMINSTER BRIDGE.		
METROPOLITAN SEWERS ACTS, to continue and amend - -	125.	E.
MILITIA; to defray the Charge of the Pay, Clothing, &c. of the Disembodied Militia; to grant Allowances, in certain Cases, to Subaltern Officers, &c.; and to authorize the Employment of the Non-commissioned Officers -	116.	G.B.&I.
——— to suspend the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom, and to amend the Law in relation to the Militia in England - - - - - -	133.	U.K.
MISDEMEANORS; to make further Provision for staying Execution of Judgment for Misdemeanors upon giving Bail in Error -	32.	E.
MUNICIPAL CORPORATIONS, for making sundry Provisions with respect to - - - - - - - - -	79.	E.
——— *See also* BELFAST MUNICIPAL BOUNDARIES.		
MUTINY; for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters - -	9.	U.K.
——— for the Regulation of the Royal Marine Forces while on shore - - - - - - -	10.	U.K.

N.

NAVAL COAST VOLUNTEERS, for the Establishment of a Body of, and for the temporary Transfer to the Navy, in case of need, of seafaring Men employed in other Public Services -	73.	U.K.
NAVY; to make better Provision concerning the Entry and Service of Seamen, and otherwise to amend the Laws concerning Her Majesty's Navy - - - -	69.	U.K.
——— for the Regulation of Her Majesty's Royal Marine Forces while on shore - - - - - -	10.	U.K.

	Cap.	Relating to
NEW FOREST DEER REMOVAL; amending 14 & 15 Vict. c. 76., as regards the Publication of Claims and the preferring and delivering Objections thereto - - -	19.	E.
NEW GRANADA; for carrying into effect the Treaty between Her Majesty and the Republic of New Granada, for the Suppression of the Slave Trade - - - -	17.	U.K.
NEWSPAPERS; to give Relief with respect to the Stamp Duties on Newspapers and Supplements thereto, and to repeal the Duty on Advertisements - - -	63.	G.B.&I.
——— to amend the Law relating to the Stamp Duties upon -	71.	G.B.&I.
NUISANCES. *See* SMOKE NUISANCE.		

O.

OATHS; relating to the Appointment of Persons to administer Oaths in Chancery, and to Affidavits made for Purposes connected with Registration - - -	78.	G.B.&I.
——— for removing Doubts as to the Powers of the Registrar of Her Majesty's Privy Council to administer Oaths, and for providing for the Performance of the Duties of such Registrar in his Absence - - -	85.	U.K.
OFFENCES. *See* CRIMES AND OFFENCES.		
OFFICES AND EMPLOYMENTS; annual Indemnity Act for Persons neglecting to qualify for - - - -	14.	U.K.
OUTRAGE. *See* CRIMES AND OFFENCES.		
OXFORD UNIVERSITY, to limit the Time for polling at Elections for - - - - - - - -	68.	E.

P.

PARISH VESTRIES, to amend the Acts 58 G. 3. c. 69. and 59 G. 3. c. 85. for the Regulation of - - - -	65.	E.
PARLIAMENTARY ELECTIONS; to limit the Time of taking the Poll in Counties at contested Elections for Knights of the Shire to serve in Parliament in England and Wales to One Day - - - -	15.	E.
——— to amend the Law as to taking the Poll at Elections of Members to serve in Parliament - - -	28.	S.
——— to limit the Time for proceeding to Election in Counties and Boroughs in England and Wales, and for polling at Elections for the Universities of Oxford and Cambridge - - - - -	68.	E.
PARLIAMENTARY REGISTRATION. *See* DUBLIN PARLIAMENTARY REGISTRATION.		
PASSENGERS BY SEA; to amend 15 & 16 Vict. c. 44. so far as relates to the Passages of Natives of Asia or Africa, and also Passages between the Island of Ceylon and certain Parts of the East Indies - - - -	84.	U.K.
PATENTS; to substitute Stamp Duties for Fees on passing Letters Patent for Inventions, and to provide for the Purchase for the public Use of certain Indexes of Specifications	5.	G.B.&I.
——— to amend certain Provisions of the Patent Law Amendment Act, 1852, in respect of the Transmission of certified Copies of Letters Patent and Specifications to certain Offices in Edinburgh and Dublin, and otherwise to amend the said Act - - -	115.	G.B.&I.

	Cap.	Relating to
PATRONAGE EXCHANGE; to effect the Exchange of Patronage by Archbishops, Bishops, and other Ecclesiastical Corporations	50.	E.
PAUPER LUNATICS, to consolidate and amend the Laws for the Maintenance and Care of - - - -	97.	E.
PERSONAL ESTATES. *See* SUCCESSION DUTY.		
PILOTAGE, to amend the Law relating to - - -	129.	G.B.&I.
PIMLICO IMPROVEMENT; to enlarge and extend the Powers of 15 & 16 Vict. c. 78. for enabling the Commissioners of Her Majesty's Works and Public Buildings to complete Improvements in Pimlico, and in the Neighbourhood of Buckingham Palace - - - - - -	44.	E.
POLLING AT ELECTIONS. *See* PARLIAMENTARY ELECTIONS.		
POOR; to continue 15 & 16 Vict. c. 14. for charging the Maintenance of certain poor Persons in Unions upon the Common Fund - - - - - -	77.	E.
——— to consolidate and amend the Laws for the Maintenance and Care of - - - - - -	97.	E.
——— to continue the Exemption of Inhabitants from Liability to be rated, as such, in respect of Stock in Trade or other Property, to the Relief of the Poor - -	105.	E.
——— *See also* VALUATION.		
PRESENTMENTS. *See* PUBLIC WORKS.		
PRISONERS (CONVICTED), for enabling the Justices of Counties to contract in certain Cases for the Maintenance and Confinement of, in the Gaols of adjoining Counties - -	43.	E.
PRIVY COUNCIL, REGISTRAR OF; for removing Doubts as to the Powers of the Registrar of the Privy Council to administer Oaths, and for providing for the Performance of the Duties of such Registrar in his Absence - - -	85.	U.K.
PROCEDURE. *See* COMMON LAW (COURTS OF).		
PROFESSORS, to regulate the Admission of, to Lay Chairs in the Universities of Scotland - - - - -	89.	S.
PROMISSORY NOTES; to make Provision concerning Bills of Exchange and Promissory Notes payable in the Metropolis on the Day appointed for the Funeral of Arthur late Duke of Wellington - - - - - - -	1.	E.
PROPERTY (RATEABLE), to amend 15 & 16 Vict. c. 63. relating to the Valuation of - - - -	7.	I.
PROPERTY TAX. *See* INCOME TAX.		
PROPERTY OF LUNATICS. *See* LUNACY REGULATION.		
PROPERTY SUCCESSION DUTY; for granting to Her Majesty Duties on Succession to - - - - - -	51.	G.B.&I.
PUBLIC HEALTH. *See* GENERAL BOARD OF HEALTH. PUBLIC WORKS LOAN.		
PUBLIC HOUSES, for the better Regulation of - -	67.	S.
PUBLIC LIBRARIES ACT; to extend the Public Libraries Act, 1850, to Ireland and Scotland - - - -	101.	G.B.&I.
PUBLIC WORKS LOAN; for altering the Mode of Repayment of Advances by the Public Works Loan Commissioners under the Public Health Act, 1848 (11 & 12 Vict. c. 63.), and other Acts - - - - -	40.	E.
PUBLIC WORKS AND BUILDINGS; to give to the Commissioners of Her Majesty's Works and Public Buildings extended Time and further Powers for completing the Embankment of the River Thames between Vauxhall and Battersea Bridges, and a new Street from Lower Sloane Street in connexion therewith - - -	87.	E.

	Cap.	Relating to
PUBLIC WORKS; for enabling Grand Juries in Ireland to borrow Money from private Sources on the Security of Presentment, and for transferring to Counties certain Works constructed wholly or in part with Public Money - - -	136.	I.

R.

REAL PROPERTY. *See* COPYHOLDS. ENTAIL. INCUMBERED ESTATES. LAND TAX. SUCCESSION DUTY.		
REDEMPTION OF THE LAND TAX; to reduce the Terms on which the Land Tax may be redeemed or purchased -	74.	G.B.
——— to amend the Laws relating to the Application of the Monies arising from the Redemption and Purchase of	90.	G.B.
——— to amend the Laws relating to the Redemption and Purchase of the Land Tax - - - - -	117.	G.B.
REGISTRAR of MEETINGS, COURT OF BANKRUPTCY, to reduce the Salary and Emoluments of - - - - -	81.	E.
REGISTRAR OF THE PRIVY COUNCIL; for removing Doubts as to the Powers of, to administer Oaths, and for providing for the Performance of the Duties of such Registrar in his Absence - - - - - - -	85.	U.K.
REGISTRATION IN CHANCERY. *See* CHANCERY, COURT OF.		
REGISTRATION OF VOTERS. *See* DUBLIN PARLIAMENTARY REGISTRATION.		
RELIEF OF THE POOR. *See* POOR.		
RESIDENT MAGISTRATES; to amend the Acts regulating the Salaries of Resident Magistrates - - - - -	60.	I.
REVENUES OF THE CROWN. *See* LAND REVENUES OF THE CROWN.		
ROYAL NAVY. *See* NAVY.		

S.

SAINT DAVID'S COLLEGE; to provide for the future Regulation and Management and permanent Endowment of Brecon Collegiate Church, permissive Powers to unite the same with St. David's College - - - - - -	82.	W.
SALARIES. *See* REGISTRAR OF MEETINGS. RESIDENT MAGISTRATES.		
SARK. *See* SPIRITS.		
SAVINGS BANKS ANNUITIES; to consolidate and amend the Laws and to grant additional Facilities in relation to the Purchase of Government Annuities through the Medium of Savings Banks, and to make other Provisions in respect thereof - - - - - - -	45.	G.B. & I.
SEAMEN; to make better Provision concerning the Entry and Service of Seamen; and otherwise to amend the Laws concerning Her Majesty's Navy - -	69.	U.K.
——— for the Establishment of a Body of Naval Coast Volunteers, and for the temporary Transfer to the Navy, in case of need, of Seafaring Men employed in other public Services - - - - - -	73.	U.K.
SEWERS (METROPOLITAN); to continue and amend the Metropolitan Sewers Acts - - - - - -	125.	E.

	Cap.	Relating to
SHEEP, &c. CONTAGIOUS DISEASES PREVENTION; to extend and continue 11 & 12 Vict. c. 107. to prevent the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals - - - - -	62.	U.K.
SHERIFF COURTS, to facilitate Procedure in - - -	80.	S.
SHERIFF AND COMMISSARY COURTS; for empowering the Sheriff and Commissary of Berwickshire to hold Courts at Dunse, and for other Purposes - - - -	27.	S.
SHERIFFS, to diminish the Number of, and to unite certain Counties in so far as regards the Jurisdiction of the Sheriff	92.	S.
SHIPPING; to amend various Laws relating to Merchant Shipping - - - - - -	131.	U.K.
——— *See also* PILOTAGE.		
SHOREDITCH. *See* SPITALFIELDS TO SHOREDITCH.		
SIERRA LEONE, to remove Doubts as to the Rights of the liberated Africans in - - - -	86.	U.K.
SLAVE TRADE, for carrying into effect the Engagement between Her Majesty and Syed Syf bin Hamood, Chief of Sohar, in Arabia, for the more effectual Suppression of -	16.	U.K.
——— for carrying into effect the Treaty between Her Majesty and the Republic of New Granada, for the Suppression of - - - -	17.	U.K.
——— *See also* SIERRA LEONE.		
SMOKE NUISANCE ABATEMENT; to abate the Nuisance arising from the Smoke of Furnaces in the Metropolis, and from Steam Vessels above London Bridge - - -	128.	E.
SOAP, to repeal the Duties, Allowances, and Drawbacks of Excise on - - - - -	39.	G.B.&I.
SOUTH AMERICA; to amend 11 & 12 Vict. c. 130. for guaranteeing the Interest on Loans raised by the British Colonies on the Continent of South America, in the West Indies, and the Mauritius, for certain Purposes - - - -	4.	U.K.
SOUTH SEA ANNUITIES; for redeeming or commuting the Annuity payable to the South Sea Company, and certain Annuities of 3*l.* per Cent. per Annum, and for creating certain new Annuities of 3*l.* 10*s.* per Cent. per Annum, and 2*l.* 10*s.* per Cent. per Annum, and issuing Exchequer Bonds - - - -	23.	U.K.
——— for extending the Provisions of the above Act; and to provide for Payments to be made thereunder -	132.	U.K.
——— to enable the South Sea Company to enter into Arrangements with certain Proprietors of the Company -	ccxix.	U.K. (Local.)
SPECIFICATIONS. *See* PATENTS.		
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SPITALFIELDS TO SHOREDITCH, to extend the Time for constructing a new Street from, and to amend the Acts relating thereto - - - - - -	52.	E.
STAGE CARRIAGES; to consolidate and amend the Laws relating to Hackney and Stage Carriages, also Job Carriages and Horses, and Carts let for Hire, within the Police District of Dublin Metropolis - - - - - -	112.	I.
——— *See also* HACKNEY CARRIAGES.		

	Cap.	Relating to
STAMP DUTIES; to substitute Stamp Duties for Fees on passing Letters Patent for Inventions, and to provide for the Purchase for the public Use of certain Indexes of Specifications - - - - -	5.	G.B.&I.
——— to repeal certain Stamp Duties and to grant others in lieu thereof, to amend the Laws relating to Stamp Duties, and to make perpetual certain Stamp Duties in Ireland - - - - -	59.	G.B.&I.
——— to repeal certain Stamp Duties and to grant others in lieu thereof, to give Relief with respect to the Stamp Duties on Newspapers and Supplements thereto, to repeal the Duty on Advertisements, and otherwise to amend the Laws relating to Stamp Duties -	63.	G.B.&I.
——— to amend the Law relating to the Stamp Duties upon Newspapers - - - - - -	71.	G.B.&I.
STEAM VESSELS. *See* SMOKE NUISANCE.		
STOCK IN TRADE; to continue the Exemption of Inhabitants from Liability to be rated, as such, in respect of Stock in Trade or other Property, to the Relief of the Poor -	105.	E.
SUCCESSION DUTY; for granting to Her Majesty Duties on Succession to Property, and for altering certain Provisions of the Acts charging Duties on Legacies and Shares of Personal Estates - - - - - -	51.	G.B.&I.
STEAM VESSELS, to abate the Nuisance arising from the Smoke of, above London Bridge - - - -	128.	E.
SUITORS OF THE COURT OF CHANCERY, for the further Relief of -	98.	G.B.
SUPERIOR COURTS OF COMMON LAW. *See* COMMON LAW COURTS.		
SUPPLIES; to apply 2,000,000*l.* to the Service of the Year 1853	6.	U.K.
——— to apply 8,000,000*l.* out of the Consolidated Fund to the Service of the Year 1853 - - -	12.	U.K.
——— for raising the Sum of 17,742,500*l.* by Exchequer Bills for the Service of the Year 1853 - - -	25.	U.K.
——— to apply 4,000,000*l.* out of the Consolidated Fund to the Service of the Year 1853 - - - -	31.	U.K.
——— Appropriation of - - - -	110.	U.K.

T.

TAXES. *See* ASSESSED TAXES. INCOME TAX. LAND TAX.		
TAXING OFFICER, COMMON LAW BUSINESS, to make better Provision for the efficient Discharge of the Duties of - -	55.	I.
THAMES EMBANKMENT; to give the Commissioners of Her Majesty's Works and Public Buildings extended Time and further Powers for completing the Embankment of the River Thames between Vauxhall and Battersea Bridges, and a new Street from Lower Sloane Street in connexion therewith - - - - - - -	87.	E.
TITHE COMMUTATION; to continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts - - - - -	124.	E.
TOLLS. *See* TURNPIKE TRUSTS.		
TOWN COUNCILS OF BURGHS. *See* BURGHS.		
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TRANSFER OF AIDS; to apply the Sum of 2,000,000*l.* to the Service of 1853 - - - - - - -	6.	U.K.

	Cap.	Relating to
TRANSPORTATION, to substitute, in certain Cases, other Punishment in lieu of - - - - - -	99.	U.K.
——— for providing Places of Confinement for Female Offenders under Sentence or Order of - -	121.	E.
TURNPIKE ROADS, to continue 4 & 5 Vict. c. 59. for authorizing the Application of Highway Rates to - -	66.	E.
——— to continue certain Acts for regulating - - -	76.	I.
——— to continue certain Turnpike Acts in Great Britain, and to make further Provisions concerning Turnpike Roads in England - - - - - - -	135.	G.B.
TURNPIKE TRUSTS, to confirm certain Provisional Orders made under 14 & 15 Vict. c. 38. to facilitate Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting Exemptions from Tolls - -	61.	E.

U.

UNION OF COUNTIES. *See* SHERIFFS.		
UNIONS, POOR LAW. *See* POOR.		
UNIVERSITIES; to limit the Time for polling at Elections for the Universities of Oxford and Cambridge -	68.	E.
——— to regulate the Admission of Professors to the Lay Chairs in the Universities of Scotland - -	89.	S.
UXBRIDGE, to confirm certain Provisional Orders of the General Board of Health for - - - - - -	126.	E.

V.

VACCINATION, further to extend and make compulsory the Practice of - - - - - - -	100.	E.
VALUATION; to amend 15 & 16 Vict. c. 63. relating to the Valuation of rateable Property in Ireland - -	7.	I.
VESTRIES; to amend the Act for the Regulation of Parish Vestries - - - - - - - -	65.	E.
VOTES AND VOTERS. *See* PARLIAMENTARY ELECTIONS.		

W.

WAKEFIELD, WALLASEY, AND WELSHPOOL, to confirm and extend certain Provisional Orders of the General Board of Health for the Towns of - - - - - -	24.	E.
WEIGHTS; for regulating the Weights used in Sales of Bullion -	29.	G.B.&I.
WELLINGTON, DUKE OF; to make Provision concerning Bills of Exchange and Promissory Notes payable in the Metropolis for the Day appointed for the Funeral of Arthur, late Duke of Wellington - - - - - -	1.	E.
WELSHPOOL. *See* WAKEFIELD, &c.		
WEST INDIES; to amend 11 & 12 Vict. c. 130. for guaranteeing the Interest on Loans raised by the British Colonies on the Continent of South America, in the West Indies, and the Mauritius, for certain Purposes - - - -	4.	U.K.
WESTMINSTER BRIDGE; to transfer Westminster Bridge, and the Estates of "the Commissioners of Westminster Bridge," to the Commissioners of Her Majesty's Works and Public Buildings; and to enable them to remove the present Bridge, and to build a new Bridge on, or near the Site thereof - - - - - - - -	46.	E.

	Cap.	Relating to
WHICHWOOD FOREST, for disafforesting - - -	36.	E.
WHITTLEWOOD otherwise WHITTLEBURY FOREST, for disafforesting	42.	E.
WOMEN, for the better Prevention and Punishment of aggravated Assaults upon - - - - -	30.	E.
WORKS, PUBLIC. *See* PUBLIC WORKS.		
WRITS OF ERROR. *See* BAIL IN ERROR.		

Y.

YORK AND CARLISLE (DEANS AND CHAPTERS OF), to make Provision concerning certain of the Estates of -	35.	E.

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CAP. V.

An Act to substitute Stamp Duties for Fees on passing Letters Patent for Inventions, and to provide for the Purchase for the public Use of certain Indexes of Specifications.

[21st *February* 1853.]

WHEREAS it is expedient that the Fees payable in respect of Letters Patent for Inventions under the Patent Law Amendment Act, 1852, and mentioned in the Schedule to such Act, be converted into Stamp Duties: Be it enacted, therefore, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

15 & 16 Vict. c. 83.

I. Sections Seventeen, Forty-four, Forty-five, Forty-six, and Fifty-three of the said Patent Law Amendment Act, 1852, and so much of the Schedule to the said Act as relates to Fees and Stamp Duties to be paid under the said Act, shall be repealed.

§§ 17, 44, 45, 46, and 53, and Part of Schedule of recited Act repealed.

II. All Letters Patent for Inventions to be granted under the Provisions of the said Patent Law Amendment Act, 1852, (except in the Cases provided for in the Fourth Section of this Act,) shall be made subject to the Condition that the same shall be void, and that the Powers and Privileges thereby granted shall cease and determine, at the Expiration of Three Years and Seven Years respectively from the Date thereof, unless there be paid before the Expiration of the said Three Years and Seven Years respectively the Stamp Duties in the Schedule to this Act annexed expressed to be payable before the Expiration of the Third Year and of the Seventh Year respectively, and such Letters Patent, or a Duplicate thereof, shall be stamped with proper Stamps showing the Payment of such respective Stamp Duties, and shall, when stamped, be produced before the Expiration

Letters Patent to be made subject to Avoidance on Non-payment of Stamp Duties expressed in Schedule to this Act annexed.

of

of such Three Years and Seven Years respectively at the Office of the Commissioners; and a Certificate of the Production of such Letters Patent or Duplicate so stamped, specifying the Date of such Production, shall be endorsed by the Clerk of the Commissioners on the Letters Patent or Duplicate, and a like Certificate shall be endorsed upon the Warrant for such Letters Patent filed in the said Office.

Stamp Duties mentioned in the Schedule to this Act to be payable.

III. There shall be paid unto and for the Use of Her Majesty, Her Heirs and Successors, for or in respect of Letters Patent applied for or issued under the Provisions of the said Patent Law Amendment Act, 1852, Warrants, Specifications, Disclaimers, Certificates, and Entries, and other Matters and Things mentioned in the Schedule to this Act, or the Vellum, Parchment, or Paper on which the same respectively are written, the Stamp Duties mentioned in the said Schedule; and no other Stamp Duties shall be levied in respect of such Letters Patent, Warrants, Specifications, Disclaimers, Certificates, Entries, Matters, and Things; and the Stamp Duty mentioned in the said Schedule on Office Copies of Documents shall be in lieu of such Sums as by the said Patent Law Amendment Act, 1852, are authorized to be appointed to be paid for such Office Copies.

As to Payment of Stamp Duties on Letters Patent for England, Scotland, or Ireland respectively.

IV. Where Letters Patent for *England* or *Scotland* or *Ireland* have been granted before the Commencement of the said Patent Law Amendment Act, 1852, or have been since the Commencement of the said Act, or hereafter may be granted for any Invention, in respect of any Application made before the Commencement of the said Act, Letters Patent for *England* or *Scotland* or *Ireland* may be granted for such Invention in like Manner as if the said Act had not been passed: Provided always, that in lieu of all Fees or Payments and Stamp Duties which were at the Time of the passing of the said Act payable in respect of such Letters Patent as last aforesaid, or in or about obtaining a Grant thereof, and in lieu of all other Stamp Duties whatsoever, there shall be paid in respect of such Letters Patent as last aforesaid on the sealing thereof Stamp Duties equal to One Third Part of the Stamp Duties which would be payable under this Act in respect of Letters Patent issued for the United Kingdom under the said Patent Law Amendment Act, 1852, on or previously to the sealing of such Letters Patent as last aforesaid, and before the Expiration of the Third Year and the Seventh Year respectively of the Term granted by such Letters Patent for *England*, *Scotland*, or *Ireland*, Stamp Duties equal to One Third Part of the Stamp Duties payable under this Act before the Expiration of the Third Year and the Seventh Year respectively of the Term granted by Letters Patent issued for the United Kingdom under the said Patent Law Amendment Act, 1852, and the Condition of such Letters Patent for *England* or *Scotland* or *Ireland* shall be varied accordingly.

Duties to be under the Management of the Commis-

V. The Stamp Duties hereby granted shall be under the Care and Management of the Commissioners of Inland Revenue; and the several Rules, Regulations, Provisions, Penalties, Clauses, and

Matters

Matters contained in any Act now or hereafter to be in force with reference to Stamp Duties shall be applicable thereto.

sioners of Inland Revenue;

VI. The said Commissioners of Inland Revenue shall prepare Stamps impressed upon adhesive Paper, of the Amounts following, that is to say, Twopence, Fourpence, Eightpence, and One Shilling, to be used only in respect of the Stamp Duties on the Office Copies of Documents and on the Certificates of Searches and Inspections mentioned in the Schedule to this Act; such adhesive Stamps of proper Amounts to be affixed by the Clerk of the Commissioners of Patents for Inventions to such Office Copies of Documents and Certificates of Searches and Inspections as aforesaid; and immediately after such affixing he shall obliterate or deface such Stamps by impressing thereon a Seal to be provided for that Purpose, but so as not to prevent the Amount of the Stamp from being ascertained; and no such Office Copy or Certificate shall be delivered out until the Stamps thereon shall be obliterated or defaced as aforesaid.

who are to provide the proper Stamps for the Purpose.

VII. The Condition contained in any Letters Patent granted under the said Patent Law Amendment Act, 1852, and before the passing of this Act for making such Letters Patent void at the Expiration of Three Years and Seven Years respectively from the Date thereof, unless there be paid, before the Expiration of the said Three Years and Seven Years respectively, the Sums of Money and Stamp Duties by the said Patent Law Amendment Act, 1852, required in this Behalf, shall be deemed to be satisfied and complied with by Payment of the like Stamp Duties as would have been required if such Letters Patent had been granted after the passing of this Act, and had been made subject to the Condition required by this Act in lieu of the said Condition therein contained; and the Provision hereinbefore contained concerning the Endorsement on the Letters Patent or Duplicate, and on the Warrant for the same Letters Patent, of a Certificate of the Production of the Letters Patent or Duplicate properly stamped, shall be applicable in the Case of such Letters Patent granted before the passing of this Act.

Conditions of Letters Patent already granted under recited Act to be satisfied by Payment of Stamp Duties, &c. under this Act.

VIII. And whereas by the said Patent Law Amendment Act, 1852, the Commissioners are directed to cause Indexes to all Specifications heretofore or hereafter to be enrolled or deposited to be prepared in such Form as they may think fit, which Indexes are to be open to the Inspection of the Public: And whereas the existing Specifications so directed to be indexed as aforesaid are in Number Fifteen thousand and upwards, and it would require some Years to make Indexes thereof on a proper Arrangement and Classification: And whereas Mr. *Bennett Woodcroft* has already made complete Indexes of such Specifications, which the Commissioners have examined and approved of, and it is expedient that such Indexes be purchased for the Use of the Public:

Power to Commissioners to purchase the Indexes of existing Specifications prepared by Mr. Woodcroft.

It shall be lawful for the Commissioners, with the Consent of the Commissioners of Her Majesty's Treasury, to purchase the said Indexes of the said *Bennett Woodcroft* for a Sum not exceeding One thousand Pounds,

Pounds, and to pay the Purchase Money for the same out of the Monies in their Hands which have arisen from Fees received in respect of Letters Patent under the said Patent Law Amendment Act, 1852, and directed by the said Act to be paid into the Receipt of the Exchequer; and after the Purchase of such Indexes the Provisions of the said Act shall be applicable thereto as if such Indexes had been prepared under the said recited Enactment.

As to the Word "Duplicate."

IX. The Word "Duplicate" shall be construed to mean in this Act such Letters Patent as may be issued under the Twenty-second Section of the Patent Law Amendment Act, 1852, in case of any Letters Patent being destroyed or lost.

This Act and 15 & 16 Vict. c. 83. to be construed together.

X. This Act and the Patent Law Amendment Act, 1852, shall be construed together as One Act.

The SCHEDULE of Stamp Duties to be paid to which this Act refers.

	£	s.	d.
On Petition for Grant of Letters Patent - -	5	0	0
On Certificate of Record of Notice to proceed - -	5	0	0
On Warrant of Law Officer for Letters Patent -	5	0	0
On the sealing of Letters Patent - - -	5	0	0
On Specification - - - -	5	0	0
On the Letters Patent, or a Duplicate thereof, before the Expiration of the Third Year - - -	50	0	0
On the Letters Patent, or a Duplicate thereof, before the Expiration of the Seventh Year - - -	100	0	0
On Certificate of Record of Notice of Objections -	2	0	0
On Certificate of every Search and Inspection -	0	1	0
On Certificate of Entry of Assignment or Licence -	0	5	0
On Certificate of Assignment or Licence - -	0	5	0
On Application for Disclaimer - - -	5	0	0
On Caveat against Disclaimer - - -	2	0	0
On Office Copies of Documents, for every Ninety Words - - - - - - -	0	0	2

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and fifty-two and of antecedent Years; and the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

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" require Revision for any of the Reasons aforesaid, or in respect of " any Property the annual Value of which is liable to frequent Altera- " tion as aforesaid; and if any such Collector shall fail or neglect to " make out, according to the best of his Ability, and lay before the " respective Board of Guardians, such last-mentioned List of Tene- " ments and Properties, as hereby required, he shall for every such " Neglect or Default be liable to a Penalty not exceeding Five Pounds; " and the Clerk of the Union shall prepare from the said Lists a full and " complete List of all such last-mentioned Tenements and Property, " and shall for Twenty Days after receiving the said Lists leave Copies " thereof open for Inspection at the Workhouse of the Union, and " permit Extracts to be taken from the same; and in case of such De- " fault as aforesaid by a Poor Law Collector, any Ratepayer within the " Union may lay before the Board of Guardians a List of any Tene- " ments the Valuation of which shall in his Opinion require Revision, " which List shall be dealt with as if returned by the Poor Law " Collector, and shall transmit such List, within Twenty Days from " such First Day of *February*, to the Commissioner of Valuation, " with the Opinion of the said Board of Guardians whether a Revision " is necessary on account of such Changes or Alterations, together " with the Name of the Person whom the said Board of Guardians may " recommend as a fit and proper Person to revise the same;" and it is expedient to amend the above-cited Provisions: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain Part of above-recited Section 29 of 15 & 16 Vict. c. 63. repealed, and other Provisions made in lieu thereof.

I. So much of the above-recited Provision as enacts, that " the " Clerk of the Union shall prepare from the said Lists a full and " complete List of all such Tenements and Property, and shall for " Twenty Days after receiving the said Lists leave Copies thereof " open for Inspection at the Workhouse of the Union, and permit " Extracts to be taken from the same; and in case of such Default " as aforesaid by a Poor Law Collector, any Ratepayer within the Union " may lay before the Board of Guardians a List of any Tenements " the Valuation of which shall in his Opinion require Revision, which " List shall be dealt with as if returned by the Poor Law Collector, " and shall transmit such List, within Twenty-one Days from such " First Day of *February*, to the Commissioner of Valuation, with the " Opinion of the said Board of Guardians whether a Revision is " necessary on account of such Changes or Alterations, together " with the Name of a Person whom the said Board of Guardians may " recommend as a fit and proper Person to revise the same," shall be and is hereby repealed; and in lieu thereof it shall be and is hereby enacted as follows:

The Clerk of the Union shall prepare from the Lists so directed to be made out by the Collectors, and laid before the Board of Guardians, a full and complete List of all Tenements and Property mentioned in such Collectors Lists, and shall for Twenty Days after receiving the said Lists leave Copies thereof open for Inspection at the Workhouse of the Union, and permit Extracts to be taken from the same; and in case of such Default as aforesaid by any Poor Rate Collector, any Ratepayer within the Union may lay before the Board of Guardians a List of any Tenements of which the Valuation shall in his Opinion require Revision, which List shall be dealt with as if it were made out and laid before the Board of Guardians by the Poor Rate Collector, and the Tenements named therein shall in like Manner be included in the List directed to be made out by the Clerk of the Union; and the Clerk of the Union shall, within Twenty Days after such First Day of *February*, transmit the List so directed to be made out by him to the Commissioner of Valuation, with the Opinion of the said Board of Guardians whether a Revision is necessary on account of such Changes or Alterations, together with the Name of a Person whom the said Board of Guardians may recommend as a fit and proper Person to revise the same.

Clerks of Unions to make out Lists of Tenements proposed for Revision in Lists received from Collectors, or, in their Default, from Ratepayers, and transmit Lists to Valuation Commissioner within 20 Days after 1st Feb. annually, with Opinion of Guardians, and Names of Persons recommended to revise the same.

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VICTORIÆ REGINÆ.

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their Hands appoint, to contract for the Purchase thereof for the Purpose aforesaid, and such Lands or Tenements so to be purchased should be conveyed to His Majesty, His Heirs or Successors, by Deed or Deeds, to be enrolled in His Majesty's Court of King's Bench, and when so purchased should be and be deemed to be and were thereby declared to be vested in and annexed to the Imperial Crown of this Realm, and should be and remain for ever unalienable from the same, and all Contracts, Agreements, and Sales, and all Conveyances by such Deeds, enrolled as aforesaid, which should be made by such Bodies Politic, Corporate, or Collegiate, or other Persons aforesaid, should be valid and effectual to all Intents and Purposes, any Law, Statute, or Usage, or any other Matter or Thing, to the contrary notwithstanding: And whereas after the passing of the said Act the said Messuage or Tenement called *Gresham College* was pulled down, and an Excise Office erected there: And whereas in the Year One thousand seven hundred and seventy-two one *John Conyers* sold to the then Commissioners of His then Majesty's Revenue of Excise (who had been previously appointed by the Commissioners of His then Majesty's Treasury, in pursuance of the said Act, to contract with him for the Purpose,) certain Land and Buildings, Stables, Coach-houses, and Vaults situate in *Sun Yard* in the Parish of *Saint Helen's, Bishopsgate, London*, contiguous or adjoining to the said College called *Gresham College*, for the Purpose in the said Act mentioned, and under and by virtue of certain Deeds or Indentures of Lease and Release, dated respectively the Twenty-third and Twenty-fourth Days of *March* One thousand seven hundred and seventy-two, and duly enrolled in His Majesty's Court of King's Bench, as by the said Act is directed, the Release being made between the said *John Conyers* of the First Part, *William Burton* Esquire, *John Wyndham Bowyer* Esquire, *David Papillon* Esquire, *George Lewis Scott* Esquire, *Thomas Bowlby* Esquire, *Richard Bagot* Esquire, *George Quarme* Esquire, *Richard Stonhewer* Esquire, and *Anthony Lucas* Esquire, therein described, according to the Fact, as the Commissioners of His Majesty's Revenue of Excise, of the Second Part, and the then King's most Excellent Majesty of the Third Part, the said Land and Buildings, Stables, Coach-houses, and Vaults were conveyed to the Use of His then Majesty, His Heirs and Successors for ever, to the End and Intent that the same might be vested and annexed to the Imperial Crown of this Realm, and be for ever held and enjoyed therewith, and be and remain for ever unalienable from the same, according to the Tenor, true Intent, and Meaning of the said Act of Parliament: And whereas the Property comprised in the said Deed or Indenture of Release was afterwards thrown into and formed Part of the Site of the said Excise Office, and of the Yard and Outbuildings adjoining thereto, or some of them: And whereas by an Act passed in the Session of Parliament holden in the Twelfth Year of the Reign of Her present Majesty, and intituled *An Act to consolidate the Boards of Excise and Stamps and Taxes into One Board of Commissioners of Inland Revenue, and to make Provision for the Collection of such Revenue,* it

12 & 13 Vict. c. 1.

it is enacted, that from and after the passing of that Act the several Persons then appointed and being Commissioners of Excise and Commissioners of Stamps and Taxes respectively should, without any further Commission or Authority than that Act, become and be One consolidated Board of Commissioners, and be called the "Com-"missioners of Inland Revenue," and from thenceforth all the several Revenues, Duties, Matters, and Things which at the Time of the passing of that Act were collected by or were under the Care and Management of the said Commissioners of Excise and of the said Commissioners of Stamps and Taxes respectively should respectively be collected by and should be under the Care and Management of the Commissioners of Inland Revenue constituted by that Act, or to be appointed as therein-after directed, in the same Manner as such Revenues, Duties, Matters, and Things respectively had theretofore been collected by or had been under the Care and Management of the said Commissioners of Excise and of the said Commissioners of Stamps and Taxes respectively, and that all such Revenues and Duties should be denominated and be deemed to be Inland Revenue: And whereas after the passing of such lastly-mentioned Act the said Excise Office became and was known as the Chief Office of Inland Revenue: And whereas by an Act passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, intituled *An Act for carrying into execution an Agreement for the Sale of Property belonging to Her Majesty in right of Her Crown and of Her Duchy of* Lancaster *to the Commissioners of Inland Revenue, and for enabling such Commissioners to dispose of their present Chief Office and other Property in the City of* London, after reciting, as the Fact is, that the Commissioners of Inland Revenue were desirous of building Offices for carrying on the Business of the Inland Revenue, and with that Object the said Agreement had been entered into, and that the Property vested in and annexed to the Crown by the said Act passed in the Eighth Year of the Reign of His late Majesty King *George* the Third, and the Property comprised in Two certain Indentures of Release therein-before mentioned, dated respectively the Twenty-second Day of *December* One thousand seven hundred and ninety-six and the Ninth Day of *November* One thousand eight hundred and twenty-two, would not be required for the Purposes of the said Commissioners after the Erection of their Chief Office on the Site comprised in the said Agreement, and it was expedient that they should have Power to dispose thereof, it is enacted, that the said Sale of the Hereditaments and Premises comprised in the said Agreement should be and the same was thereby confirmed, and that the same Hereditaments and Premises should be and the same were for all the legal and beneficial Estate and Interest of Her Majesty, as well in right of Her Crown as of Her said Duchy, thereby vested in the Secretary for the Time being of the Commissioners of Inland Revenue, to hold the same to himself and his Successors in Office for ever as a Corporation Sole, subject nevertheless as in the said Agreement mentioned, and in trust for Her Majesty, Her Heirs and

15 & 16 Vict. c. 40.

and Successors, for the Use and Service of the Inland Revenue; and it is also enacted, that the Property vested in and annexed to the Imperial Crown of the Realm by the said Act passed in the Eighth Year of His late Majesty King *George* the Third, and also the Property comprised in the said Two several therein and herein-before mentioned Indentures of Release, should be and the same were thereby vested in the Secretary for the Time being of the Commissioners of Inland Revenue and his Successors, for the same Purposes, as if the same had been vested in him under and by virtue of the Act of Parliament herein-after particularly mentioned or referred to, intituled *An Act to consolidate and amend the Laws relating to the Collection and Management of the Revenue of Excise throughout* Great Britain *and* Ireland: And whereas the Commissioners of Inland Revenue are now proceeding to erect their Chief Office upon the Site comprised in the said Agreement, as before mentioned, and therefore the Property comprised in the said Deed or Indenture of Release dated the Twenty-fourth Day of *March* One thousand seven hundred and seventy-two will no longer be required for the Purposes of the said Commissioners of Inland Revenue, and it is expedient that they should have Power to dispose thereof in like Manner as they are by the said lastly herein-before in part recited Act empowered to dispose of the Property to which the same Act relates, as before mentioned: And whereas Her Majesty has been graciously pleased to signify Her Consent and Desire that the said Commissioners of Inland Revenue should have Power to dispose of such Property in manner aforesaid: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

7 & 8 G. 4. c. 53.

Property conveyed to the Crown by Deed dated 24th March 1772 to be vested in the Secretary of Inland Revenue, for the Purposes mentioned in recited Act 7 & 8 G. 4. c. 53.

I. That the Property comprised in the said Deed or Indenture of Release dated the Twenty-fourth Day of *March* One thousand seven hundred and seventy-two shall be and the same is hereby vested in the Secretary for the Time being of the Commissioners of Inland Revenue, and his Successors, and that the same shall henceforth be held by him and his Successors in such and the same Manner and for the same Purposes, and shall and may be managed, dealt with, let, set, demised, sold, and disposed of, as if the same had been vested in the Secretary of Excise for the Time being, and his Successors, under and by virtue of the Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Collection and Management of the Revenue of Excise throughout* Great Britain *and* Ireland.

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Printers to the Queen's most Excellent Majesty. 1853.

ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

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Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert Her Majesty's Service, or be guilty of Crimes and Offences to the Prejudice of good Order and Military Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

Articles of War made by Her Majesty to be judicially taken notice of.

I. It shall be lawful for Her Majesty to make Articles of War for the better Government of Her Majesty's Forces, which Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever; and Copies of the same, printed by the Queen's Printer, shall, as soon as may be after the same shall have been made and established by Her Majesty, be transmitted by Her Majesty's Secretary-at-War to the Judges of Her Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of Her Majesty's Dominions abroad; provided that no Person within the United Kingdom of *Great Britain* and *Ireland*, or the *British Isles*, shall by such Articles of War be subject to be transported as a Felon, or to suffer any Punishment extending to Life or Limb, except for Crimes which are by this Act expressly made liable to such Transportation or to such Punishment as aforesaid, or shall be subject, with reference to any Crimes made punishable by this Act, to be punished in any Manner which shall not accord with the Provisions of this Act.

Persons subject to this Act.

II. All the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer, or who are or shall be listed or in Pay as a Non-commissioned Officer or Soldier, and to all Persons employed on the Recruiting Service receiving Pay in respect of such Service, and to the Officers and Soldiers belonging to the Forces of the *East India* Company while such Officers or Soldiers shall be in any Part of the United Kingdom, and to the Officers and Persons who are or shall be serving and hired to be employed in the Royal Artillery and Field Train, and to Master Gunners, and Gunners, and Conductors of Stores, and to all Officers and Persons who are or shall be serving in the Regiment of Royal Engineers and the Corps of Royal Sappers and Miners, and in the Corps of Royal Military Surveyors and Draftsmen, and to Persons in the Ordnance and Commissariat Departments, who are or shall be serving with any Part of Her Majesty's Forces at home or abroad, under the Command of any Officer having Commission from Her Majesty or from His late Majesty King *William* the Fourth.

Fourth, and to all Storekeepers and other Civil Officers who are or shall be employed by or act under the Ordnance at any of Her Majesty's Ordnance Establishments in the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, or at Foreign Stations; provided that nothing in this Act contained shall extend to affect any Security which has been given by such Storekeeper, Barrack Master, or other Officer, or their Sureties, for the due Performance of their respective Offices, under the Provisions of an Act passed in the Fiftieth Year of the Reign of His Majesty King *George* the Third, to regulate the taking of Securities in all Offices, but that such Bonds and other Securities shall be and remain in full Force and Effect.

Act to extend to Jersey, Guernsey, &c.

III. This Act shall extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions therein for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and to the Provisions for the Trial and Punishment of Officers and Soldiers who shall be charged with Mutiny and Desertion, or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall fraudulently confess themselves to be Deserters, or who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Clothes, Military Furniture, or Regimental Necessaries from any Soldier or Deserter, or who shall cause the Colour of any such Clothes to be changed, or who shall aid in the Escape of a Prisoner from a Military Prison, or who shall introduce forbidden Articles into such Prison, or shall carry out any such Articles, or who shall assault any Officer of such Prison, and also to the Provisions for exempting Soldiers from being taken out of Her Majesty's Service for not supporting or for leaving chargeable to any Parish any Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer, or on account of any Debts under Thirty Pounds in the said Islands.

Foreign Troops in this Country

IV. All Officers and Soldiers of any Troops, being mustered and in Pay, which shall be raised and serving in any of Her Majesty's Dominions abroad, or in Places in possession of or occupied by Her Majesty's Subjects under the Command of any Officer having any Commission immediately from Her Majesty, shall be subject to the Provisions of this Act and of Her Majesty's Articles of War, in like Manner as Her Majesty's other Forces are; and if such Officers and Soldiers, having been made Prisoners, be sent into *England* or *Ireland*, although not allowed to serve therein, all the Provisions

Provisions of this Act in regard to billeting Soldiers shall apply to such Officers and Soldiers.

Militia and Yeomanry.

V. Nothing in this Act contained shall in anywise be construed to extend to any Militia Forces or Yeomanry or Volunteer Corps in *Great Britain* or *Ireland*, excepting only in such Cases wherein, by any Act or Acts for regulating any of the said Forces or Corps, the Provisions contained in any Act for punishing Mutiny and Desertion shall be specifically made applicable to the said Corps.

Power to constitute Courts-martial.

VI. For the Purpose of bringing Offenders against this Act and the Articles of War to Justice, Her Majesty may from Time to Time, in like Manner as has been heretofore used, grant Commissions under the Royal Sign Manual for the holding Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, and may grant Commissions or Warrants under the said Royal Sign Manual to the Chief Governor or Governors of *Ireland*, the Commander of the Forces, or the Person or Persons commanding in chief, or commanding for the Time being, any Body of Her Majesty's Forces, as well within the United Kingdom of *Great Britain* and *Ireland* and the *British Isles* as in any of Her Majesty's Garrisons and Dominions or elsewhere beyond Seas, for convening Courts-martial, and for authorizing any Officer under their respective Commands to convene Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Forces under the Command of any such last-mentioned Officer, whether the same shall have been committed before or after such Officer shall have taken upon him such Command; the Officer so authorized not being, however, below the Degree of a Field Officer, except in the Settlements on the Western Coast of *Africa*, where a Captain may be authorized to convene District or Garrison Courts-martial; and any Person subject to this Act who shall, in any Part of Her Majesty's Dominions or elsewhere, commit any of the Offences for which he may be liable to be tried by Court-martial by virtue of this Act or of the Articles of War, may be tried and punished for the same in any Part of Her Majesty's Dominions where he may have come or be after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

General Courts-martial.

VII. A General Court-martial convened in *Saint Helena*, the Settlements on the Western Coast of *Africa*, *Honduras*, *New Zealand*, the *Australian* Colonies, *Hong Kong*, and the Settlements on the Coast of *China*, and *Prince of Wales Island*, *Singapore*, and *Malacca*, shall consist of not less than Five Commissioned Officers; if

if convened in *Jamaica*, the *Windward* and *Leeward Islands*, *British Guiana*, *Newfoundland*, *Bermuda*, the *Bahamas*, the *Cape of Good Hope* or other Settlements in *Southern Africa*, or in any Part out of the Queen's Dominions excepting the *Ionian Islands* and the Parts before mentioned, it shall consist of not less than Seven, and if convened in any other Part of the Queen's Dominions, or in the *Ionian Islands*, or in the Settlements of the *East India* Company, it shall consist of not less than Thirteen Commissioned Officers; and shall have Power to sentence any Officer or Soldier to suffer Death, Transportation, or any other Punishment which shall accord with the Provisions of this Act.

VIII. A District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, the *Bahamas*, the *Cape of Good Hope* or other Settlements in *Southern Africa*, *Saint Helena*, *Jamaica*, *Honduras*, *Newfoundland*, *New Zealand*, the *Australian* Colonies, the *Windward* and *Leeward Islands*, *British Guiana*, *Hong Kong*, and the Settlements on the Coast of *China*, where it may consist of not less than Five Commissioned Officers, and in the Settlements on the Western Coast of *Africa*, where it may consist of not less than Three Commissioned Officers; and such Court-martial shall have the same Power as a General Court-martial to sentence any Soldier to such Punishments as shall accord with the Provisions of this Act: Provided always, that such Court-martial shall not have Power to try a Commissioned Officer, nor to pass any Sentence of Death or Transportation. District or Garrison Courts-martial.

IX. A Regimental or Detachment Court-martial shall consist of not less than Five Officers, unless it is found to be impracticable to assemble that Number, when Three may be sufficient, and shall have Power to sentence any Soldier to Corporal Punishment, or to Imprisonment, and to Forfeiture of Pay, in such Manner as shall accord with the Provisions of this Act. Regimental and Detachment Courts-martial.

X. In Cases of Mutiny and gross Insubordination or other Offences committed on the Line of March, or on board any Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship, not in Commission, the Offender may be tried by a Regimental or Detachment Court-martial, and the Sentence confirmed and carried into execution on the Spot by the Officer in the immediate Command of the Troops, provided that the Sentence shall not exceed that which a Regimental Court-martial is competent to award. Courts-martial on Line of March or in Troop Ships.

XI. It shall be lawful for any Officer, commanding any Detachment or Portion of Her Majesty's Troops which may at any Time Courts-martial in special Cases out of

the Queen's Dominions.

be serving out of Her Majesty's Dominions, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or Resident in any such Countries, by any Person serving with or belonging to Her Majesty's Armies, being under the immediate Command of any such Officer, to convene a Detachment General Court-martial, which shall consist of not less than Three Officers, for the Purpose of trying any such Person; and every such Court-martial shall have the same Powers in regard to Sentence upon Offenders as are granted by this Act to General Courts-martial: Provided always, that no Sentence of any such Court-martial shall be executed until the General commanding the Army to which the Division, Brigade, Detachment, or Party to which any Person so tried, convicted, and adjudged to suffer Punishment shall belong shall have approved and confirmed the same.

Mixed Courts-martial in case of Marines and East India Company.

XII. Where necessary or expedient, Officers of Her Majesty's Royal Marines, or Officers in the Service of the *East India* Company, or Officers of both such Services, may sit on Courts-martial together with Officers of Her Majesty's Land Forces, whether the Commanding Officer by whose Order such Court-martial is assembled belongs to the Land or to the Marine Forces; and when the Person to be tried shall belong to the Land Forces, then the Proceedings of such Court shall be regulated, to all Intents and Purposes, as if the Court was composed of Officers of Her Majesty's Land Forces only, and the Provisions of this Act, and the Oaths hereby prescribed, shall be applicable to the Proceedings of such Court; but where the Person to be tried shall belong to Her Majesty's Royal Marines, then the Provisions of an Act passed in the present Session of Parliament, for the Regulation of Her Majesty's Royal Marine Forces while on shore, and the Oaths therein prescribed, shall be applicable; and where the Person to be tried shall be in the Service of the *East India* Company, the Provisions of an Act passed in the Twelfth and Thirteenth Years of Her present Majesty, to amend the Laws for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the *East India* Company, and the Oaths thereby prescribed, shall be applicable, notwithstanding any Officer, though in the actual Service of the said Company, may hold a Commission from Her Majesty or from His late Majesty King *William* the Fourth.

President of Court-martial.

XIII. The President of every Court-martial shall be appointed by the Authority convening such Court, and shall in no Case be the Officer commanding in chief or Governor of the Garrison where the Offender shall be tried, nor Commander of the Regiment or Body of Troops composed of Detachments of different Regiments to which

which the Prisoner belongs; nor in the Case of a General Court-martial under the Degree of a Field Officer, unless a Field Officer cannot be had; nor in any Case whatever under the Degree of a Captain, save in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions, or of a Regimental or Detachment Court-martial holden on the Line of March, or on board any Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship not in Commission, or on any Foreign Station where a Captain cannot be had.

Proceedings at Trial.

XIV. In all Trials by Court-martial, as soon as the President and other Officers appointed to serve thereon shall be assembled, their Names shall be read over in the Hearing of the Prisoner, who shall thereupon be asked if he objects to being tried by the President or by any of such Officers; and if the Prisoner shall then object to the President, such Objection shall be referred to the Decision of the Authority by whom such President shall have been appointed; but if he object to any Officer other than the President, such Objection shall be decided by the President and the other Officers so as aforesaid appointed to form the Court; and when the Place of the President or other Officer in respect of whom any Challenge shall have been made and allowed shall be supplied by some Officer in respect of whom no Challenge shall have been made or allowed, or if no Challenge whatever shall have been made, or, if made, not allowed, the President and the other Officers composing a General Court-martial shall take the Oaths in the Schedule to this Act annexed before the Judge Advocate General or his Deputy, or Person officiating as Judge Advocate, and on Trials by other Courts-martial before the President of such Court, who are hereby respectively authorized to administer the same, and any sworn Member may administer the Oath to the President; and as soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act annexed; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon.

Swearing and summoning Witnesses.

XV. All General and other Courts-martial shall have Power and Authority, and are hereby required, to administer an Oath to every Witness or other Person who shall be examined before such Court in any Matter relating to any Proceeding before the same; and every

every Person, as well Civil as Military, who may be required to give or produce Evidence before a Court-martial, shall, in the Case of General Courts-martial, be summoned by the Judge Advocate General, or his Deputy, or the Person officiating as Judge Advocate, and in the Case of all other Courts-martial, by the President of the Court; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of *Westminster* or *Dublin*, or of the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies*, or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by any Affidavit in a summary Way, that such Witness was arrested in going to or attending upon or returning from such Court-martial; and all Witnesses so duly summoned as aforesaid who shall not attend on such Courts, or attending shall refuse to be sworn, or being sworn shall refuse to give Evidence or not produce the Documents under their Power or Control required to be produced by them, or to answer all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in *London* or *Dublin*, or in the Court of Session, or Sheriff Depute or Stewards Depute, or their respective Substitutes, within their several Shires and Stewartries, in *Scotland*, or in Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions, in *Europe* or elsewhere respectively, upon Complaint made, in like Manner as if such Witness, after having been duly summoned or subpœnaed, had neglected to attend upon a Trial in any Proceeding in the Court in which such Complaint shall be made.

Previous Convictions to be put in Evidence.

XVI. After a Prisoner has been found guilty of any Charge or Charges, the Court before which any such Prisoner shall have been tried may, before passing Sentence on such Prisoner, and for the Purpose only of affixing Punishment, receive in Evidence against him any previous Convictions by Courts-martial, and in like Manner and for the like Purpose the Court shall receive in Evidence any previous Conviction of such Prisoner by a Court of ordinary Criminal Jurisdiction, where the Offence charged in the Indictment was of a felonious, fraudulent, or unnatural Nature; and in the Case of Convictions by Courts-martial, duly confirmed, when the Court-martial Book cannot conveniently be produced, a Certificate, which shall purport to contain a Copy of the Entry of such Convictions in the Court-

Court-martial Book or in the Regimental or Company's Defaulters Book, and which shall be signed by the Adjutant, or other Officer having the Custody of the Court-martial Book or of the Defaulters Book of the Regiment or Company to which the Prisoner belongs, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction, any Certificate transmitted as herein-after provided to the Officer commanding a Regiment by the Clerk of any such Court, or other Officer having Custody of the Records of such Court, or the Deputy of such Clerk, containing the Substance and Effect of any Indictment, omitting the formal Part, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received it shall be proved to the Satisfaction of the Court that the said Prisoner had previously to his Trial received Notice of the Intention to produce such Evidence against him: Provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall have been so found guilty.

Report of Proceedings of General and District Courts-martial.

XVII. Every Judge Advocate, or Person officiating as such at a General Court-martial, and the President of every District or Garrison Court-martial, where the Offender shall be a Non-commissioned Officer or Soldier belonging to Her Majesty's Land Forces, are required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence thereof to the Judge Advocate General in *London*, in whose Office they shall be carefully preserved; and any Person tried by a General Court-martial, or any Person on his Behalf, shall be entitled, on Demand, to a Copy of such Sentence and Proceedings (paying reasonably for the same), whether such Sentence shall be approved or not, at any Time not sooner than Six

Months if the Trial took place at *Gibraltar* or in the *Mediterranean*, Three Months if at any other Station within *Europe*, and Twelve Months if elsewhere in Her Majesty's Dominions; provided that such Demand as aforesaid shall have been made within the Space of Three Years from the Date of the Approval or other final Decision upon the Proceedings before such General Court-martial.

No Second Trial, but Revision allowed.

XVIII. No Officer or Soldier, being acquitted or convicted of any Offence, shall be liable to be tried a Second Time by the same or any other Court-martial for the same Offence; and no Finding, Opinion, or Sentence given by any Court-martial, and signed by the President thereof, shall be revised more than once, nor shall any additional Evidence be received by the Court on any Revision.

Crimes punishable with Death.

XIX. If any Person subject to this Act shall at any Time during the Continuance of this Act begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Land or Marine Forces, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny or intended Mutiny shall not, without Delay, give Information thereof to his Commanding Officer; or shall hold Correspondence with or give Advice or Intelligence to any Rebel or Enemy of Her Majesty, either by Letters, Messages, Signs, or Tokens, in any Manner or Way whatsoever; or shall treat or enter into any Terms with such Rebel or Enemy without Her Majesty's Licence or Licence of the General or Chief Commander; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall have been commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer, or others, to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall desert Her Majesty's Service; or shall leave his Post before being regularly relieved; or shall be found sleeping on his Post; or shall strike or shall use or offer any Violence against his Superior Officer, being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other his superior Military Officer, being in the Execution of his Office; all and every Person and Persons so offending in any of the Matters before mentioned, whether such Offence shall be committed within this Realm, or in any other of Her Majesty's

Majesty's Dominions, or in Foreign Parts, upon Land or upon the Sea, shall suffer Death or such other Punishment as by a Court-martial shall be awarded.

XX. No Judgment of Death by a Court-martial shall pass unless Two Thirds at least of the Officers present shall concur therein. Judgment of Death.

XXI. Whensoever any General Court-martial by which any Soldier shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may adjudge the Offender, according to the Degree of the Offence, to be transported as a Felon for Life, or for a certain Term of Years, or may sentence him to general Service as a Soldier in any Corps and in any Country or Place which Her Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Soldier in any Corps which Her Majesty shall please to direct: Provided always, that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial or Detachment General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, instead of causing such Sentence to be carried into execution, to order the Offender to be transported as a Felon, either for Life or for a certain Term of Years, or to suffer such Term of Imprisonment, either with or without Hard Labour, as shall seem meet to Her Majesty, or, if in the *East Indies*, to the Officer commanding as aforesaid. Commutation of Death for Transportation.

XXII. Every Paymaster or other Commissioned Officer of Her Majesty's Forces, or any Person employed in the Ordnance or Commissariat Department, or in any Manner in the Care or Distribution of any Money, Provisions, Forage, or Stores, who shall embezzle or fraudulently misapply, wilfully damage, steal, or be concerned in or connive at the Embezzlement, fraudulent Misapplication, wilful Damage, or Theft of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Military Stores belonging to Her Majesty's Forces or for Her Majesty's Use, may be tried for the same by a General Court-martial, which may adjudge any such Offender to be transported as a Felon for Life or for any certain Term of Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, and Incapacity of serving Her Majesty in any Office, Civil or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expense the Loss and Damage sustained, which shall have been ascertained by such Court-martial; Embezzlement punishable by Transportation.

and

and in every such Case the Court is required to ascertain by Evidence the Amount of the Loss or Damage incurred, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies where the Person sentenced by such Court-martial shall be resident, after the said Judgment shall be confirmed and made known; and every Commissioned Officer sentenced to be transported as a Felon, when such Sentence shall be confirmed, shall thereupon cease to belong to Her Majesty's Service, and for ever be incapable of serving Her Majesty in any Military Capacity.

Execution of Sentences of Transportation in the United Kingdom.

XXIII. Whenever Her Majesty shall intend that any Sentence of Transportation heretofore or hereafter passed upon any Offender by any Court-martial shall be carried into execution for the Term specified in such Sentence or for any shorter Term, or shall be graciously pleased to commute as aforesaid to Transportation any Sentence of Death passed by any such Court, the Sentence, together with Her Majesty's Pleasure thereupon, shall be notified in Writing by the Officer commanding in chief Her Majesty's Forces in *Great Britain* and *Ireland*, or in the temporary Absence of such Officer by the Adjutant General, or when there shall not be any Commander-in-Chief of Her Majesty's Forces in *Great Britain* and *Ireland*, then by the Secretary-at-War or his Deputy, to any Judge of the Queen's Bench, Common Pleas, or Exchequer in *England* or *Ireland*, and thereupon such Judge shall make an Order for the Transportation of such Offender in conformity with such Notification, and shall also do all such other Acts consequent upon such Notification as such Judge is authorized to do by any Act in force touching the Transportation of other Offenders; and the Person in whose Custody such Offender shall at that Time be, and all other Persons whatsoever whom the said Order may concern, shall be bound to obey and shall be assistant in the Execution thereof, and shall be liable to the same Punishment for Disobedience, or for interrupting the Execution of such Order, as if the Order had been made under the Authority of any such Act as aforesaid; and every Person so ordered to be transported shall be subject to every Provision made by Law and in force concerning Persons convicted of any Crime and under Sentence of Transportation; and from the Time when such Order of Transportation shall be made every Act in force touching the Escape of Felons, or their afterwards returning or their being at large without Leave, shall apply to such Offender, and to all Persons aiding and abetting, contriving or assisting in any

any Escape or intended Escape, or returning without Leave, of any such Offender; and the Judge who shall make any Order of Transportation as aforesaid shall direct the Notification of Her Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or Her Majesty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before whom he was convicted, and the Conditions on which the Order of Transportation was given; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Transportation was given, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

In the Colonies.

XXIV. Whenever any Sentence of Transportation heretofore or hereafter passed upon any Offender by any Court-martial holden in the *East Indies*, or in any Part of Her Majesty's Foreign Dominions, is to be carried into execution for the Term specified in such Sentence or for any shorter Term, or when Sentence of Death has been or shall as aforesaid be commuted to Transportation, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station, or in his Absence by the Adjutant General for the Time being, to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or Chief Justice, or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Transportation or intermediate Custody of such Offender, in like Manner as for the Transportation or intermediate Custody of any other Convict; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in the *East Indies*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who, on Receipt of such Notification, shall cause such Offender to be removed to some Colony or Place in obedience to the Directions for the Removal of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender on being so removed shall undergo the Sentence of Transportation which has been passed upon him in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be there

 imprisoned,

imprisoned, and kept to Hard Labour, and otherwise dealt with under such Sentence in the same Manner as if he had been sentenced to be imprisoned, with Hard Labour, during the Term of his Transportation, by the Judgment of a Court of competent Jurisdiction in the Colony or Place to which he has been so removed or sent: Provided always, that in any Case where a Sentence of Transportation shall have been awarded by a General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned for a Term not exceeding Two Years, either with or without Hard Labour, and Solitary Confinement not exceeding the Period herein-after prescribed.

Power to inflict Corporal Punishment.

XXV. Any Court-martial may sentence any Soldier to Corporal Punishment not extending to Life or Limb for disgraceful Conduct, as herein-after mentioned, Misbehaviour, or Neglect of Duty; provided that no such Sentence of Corporal Punishment exceed Fifty Lashes.

Power to inflict Corporal Punishment and Imprisonment.

XXVI. It shall be lawful for any General, District, or Garrison Court-martial, in addition to any Sentence of Corporal Punishment, to award Imprisonment, with or without Hard Labour, and with or without Solitary Confinement.

Power to commute Corporal Punishment.

XXVII. In all Cases in which Corporal Punishment shall form the whole or any Part of the Sentence awarded by any Court-martial it shall be lawful for Her Majesty, or for the General or other Officer authorized to confirm the Sentences of Courts-martial, to commute such Corporal Punishment to Imprisonment, either solitary or with or without Hard Labour, for any Period not exceeding Forty-two Days, or to mitigate such Sentence, or to award Imprisonment, either solitary or with or without Hard Labour, for any Period not exceeding Twenty Days, and Corporal Punishment, to be inflicted in the Prison, not exceeding Twenty-five Lashes; provided that such Commutation of Punishment to Solitary Confinement shall in no Case exceed the Period herein-after prescribed.

Forfeiture of Pay and Pension by Sentence of Court-martial.

XXVIII. Any General Court-martial may, in addition to any other Punishment which it may be competent to award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service or might accrue from future Service, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Sentence which such Court may award, sentence

sentence any Offender to such Forfeiture for Desertion or for disgraceful Conduct,

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of or with Intent to injure any Person, Civil or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay on Conviction of Desertion or Felony.

XXIX. Every Soldier who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Soldier, whether at the Instance of such other Soldier or not, with Intent thereby to render himself or such other Soldier unfit for Service, of tampering with his Eyes with Intent thereby to render himself unfit for Service, such Finding having been confirmed, or of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed therein, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court may award.

Forfeiture of Pay when in Confinement under Sentence;

XXX. If any Non-commissioned Officer or Soldier, by reason of his Imprisonment, whether under Sentence of a Court-martial or of any other Court duly authorized to pass such Sentence, or by reason of his Confinement for Debt, or by reason of his Desertion, or, being an Apprentice, by reason of his being allowed to serve out his Time with his Master, shall have been absent from his Duty during any Portion of the Time limited by his Enlistment or Re-

engagement

engagement or Prolongation of Service as herein-after provided, such Portion of his Time shall not be reckoned as a Part of the limited Service for which such Non-commissioned Officer or Soldier was enlisted or re-engaged, or for which his Term of Service may have been prolonged, and no Soldier shall be entitled to Pay, or to reckon Service towards Pay or Pension, when in Confinement under a Sentence of any Court, or during any Absence from Duty by Commitment or Confinement under any Charge of which he shall be afterwards convicted, either by Court-martial or by any Court of ordinary Criminal Jurisdiction, or whilst in Arrest for Debt; and when any Soldier shall be absent as a Prisoner of War he shall not be entitled to Pay, or to reckon Service towards Pay or Pension, for the Period of such Absence; but upon rejoining Her Majesty's Service due Inquiry shall be made by a Court-martial, and unless it shall be proved to the Satisfaction of such Court that the said Soldier was taken Prisoner through wilful Neglect of Duty on his Part, or that he had served with or under or in some Manner aided the Enemy, or that he had not returned as soon as possible to Her Majesty's Service, he may thereupon be recommended by such Court to receive either the whole of such Arrears of Pay or a Proportion thereof, and to reckon Service during his Absence; and any Soldier who shall be convicted of Desertion, or of Absence without Leave, shall, in addition to any Punishment awarded by the Court, forfeit his Pay for the Day or Days during which he was in a State of Desertion, or during his Absence without Leave; and if any Soldier shall absent himself without Leave for any Period not exceeding Five Days, and shall not account for the same to the Satisfaction of the Commanding Officer, or if any Soldier shall be guilty of any other Offence which the Commanding Officer may not think necessary to bring before a Court-martial, the Commanding Officer may, in addition to any minor Punishment he is authorized to award, order that such Soldier shall be imprisoned for any Period not exceeding One hundred and sixty-eight Hours, with or without Hard Labour, or with or without Solitary Confinement, as the said Commanding Officer may think fit, and such Soldier shall forfeit his Pay for any Day or Days on which he may be so imprisoned; and the said Commanding Officer may moreover order that, in addition to or instead of such Imprisonment and Forfeiture, or any other Punishment which he has Authority to inflict, any Soldier who shall have so absented himself as aforesaid shall forfeit his Pay for the Day or Days on which he shall have so absented himself, and in pursuance of any such Order as aforesaid the Pay of the Soldier shall be accordingly forfeited: Provided always, that such Soldier shall not be liable to be afterwards tried by a Court-martial for any Offence for which he shall have been so punished, ordered to suffer Imprisonment, Punishment, or Forfeiture as aforesaid: Provided also, that any Soldier

or during Absence on Commitment under a Charge, or in Arrest for Debt;

or when Prisoner of War;

or when convicted of Desertion, or of Absence without Leave;

or when absent without Leave, not exceeding Five Days.

Soldier who shall be so ordered to suffer Imprisonment or Forfeiture of Pay shall, if he so request, have a Right to be tried by a Court-martial for his Offence, instead of submitting to such Imprisonment or Forfeiture: Provided also, that when any Sentence shall have been wholly remitted, and the Offence pardoned by competent Authority, the Soldier shall be entitled to receive his Pay for the Days he may have been in Confinement or Arrest previous to Trial, and until such Decision had been pronounced: Provided also, that it shall be lawful for Her Majesty's Secretary-at-War to order or withhold the Payment of the whole or any Part of the Pay of any Officer or Soldier during the Period of Absence by any of the Causes aforesaid.

Forfeiture of Pay for Drunkenness on Duty.

XXXI. A General, District, or Garrison Court-martial may sentence any Soldier for being drunk on Duty, and any Court-martial may sentence any Soldier for being drunk when for Duty or on Parade or on the Line of March, to be deprived of a Penny a Day of his Pay for any Period not exceeding Thirty Days, in addition to any other Punishment which such Court may award.

Forfeiture of Pay and Liquor for habitual Drunkenness.

XXXII. Any General, Garrison, or District Court-martial before which any Soldier shall be convicted of habitual Drunkenness shall deprive such Soldier of such Portion of his Pay, for such Period not exceeding Two Years, and under such Restrictions and Regulations, as may accord with Her Majesty's Articles of War, subject to Restoration on subsequent good Conduct; and every Regimental or Detachment Court-martial shall deprive a Soldier, convicted of a Charge of habitual Drunkenness, of such Portion of his additional or regular Pay, for such Period, not exceeding Six Months, and under such Restrictions and Regulations, as may accord with Her Majesty's Articles of War, subject to Restoration on subsequent good Conduct, and, in addition to such Deprivation of Pay, the Court may, if it shall think fit, sentence such Offender to any other Punishment which the Court may be competent to award: Provided always, that a Soldier so sentenced to the Forfeiture of Pay, who shall be quartered at or removed to a Station where Liquor forms Part of his Ration and is issued in Kind, shall be deprived of his Liquor in Kind instead of being deprived of One Penny of his daily Pay for so long a Time as he shall remain at such Station, and such Sentence of Forfeiture of Pay shall remain in force.

Stoppages.

XXXIII. In addition to any other Punishment which the Court may award, a Court-martial may further direct that any Offender may be put under Stoppages until he shall have made good—

Any Loss or Damage occasioned by him in any of the Instances of disgraceful Conduct herein-before specified:

Any Loss or Destruction of, or Damage or Injury to, any Property whatsoever, occasioned by his wilful or negligent Misconduct:

Any Loss or Destruction of, or Damage or Injury to, his Horse, Arms, Clothing, Instruments, Equipments, Accoutrements, or Regimental Necessaries, or any extra Article of Clothing or Equipment that he may have been put in possession of and ordered to wear on the Recommendation of the Surgeon for the Benefit of his Health, or making away with or pawning any Medal for Service in the Field or for general good Conduct which may have been granted him by Order of Her Majesty, or by Order of the *East India* Company, or any Loss or Destruction of, or Damage or Injury to, the Arms, Horse, Clothing, Instruments, Accoutrements, or Regimental Necessaries of any Officer or Soldier, occasioned by his wilful or negligent Misconduct:

Any Expense necessarily incurred by his Drunkenness or other Misconduct:

Provided always, that, except in the Case of the Loss or Destruction of Accoutrements and Regimental Necessaries, in which Case the Court may by its Sentence direct that the said Stoppages shall continue till the Cost of replacing the same be made good, the Amount of any Loss, Destruction, Damage or Injury, or Expense, shall be ascertained by Evidence, and the Offender shall be placed under Stoppages for such an Amount only as shall be proved to the Satisfaction of the Court: Provided also, that after satisfying the Charges for his Messing and Washing, so much only of the Pay of the Soldier may be stopped and applied as shall leave him a Residue at the least of One Penny a Day.

Discharge with Ignominy.

XXXIV. Whenever any Soldier shall have been convicted of any such disgraceful Conduct, and the Court in respect thereof shall have made the Forfeiture of all Claim to Pension on Discharge a Part of the Sentence passed on such Soldier, such Court may further recommend that he be discharged with Ignominy from Her Majesty's Service.

Marking Deserters.

XXXV. On the first and on every subsequent Conviction of Desertion the Court-martial, after awarding such Punishment as it may think fit, may order the Offender to be marked on the Left Side, Two Inches below the Arm-pit, with the Letter D, such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Power of Imprisonment by different Kinds of Courts-martial.

XXXVI. A General, Garrison, or District Court-martial may sentence any Soldier to Imprisonment, with or without Hard Labour, and may also direct that such Offender shall be kept in Solitary Confinement for any Portion or Portions of such Imprisonment not exceeding Fourteen Days at a Time, nor Eighty-four Days in any

any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and when the Imprisonment awarded shall extend beyond Three Months, the Court-martial shall imperatively order that the Solitary Confinement shall not exceed Seven Days in any One Month of the whole Imprisonment awarded, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and any Regimental or Detachment Court-martial may sentence any Soldier to Imprisonment, with or without Hard Labour, for any Period not exceeding Forty-two Days, and may also direct that such Soldier may be kept in Solitary Confinement for any Portion or Portions of such Imprisonment, not exceeding Fourteen Days at a Time, with an Interval between them of not less Duration than such Periods of Solitary Confinement; provided that when any Court-martial, whether General, Garrison, or District, or Regimental or Detachment, shall direct that the Imprisonment shall be solitary only, the Periods shall in no Case exceed Fourteen Days.

Imprisonment of Offenders already under Sentence for previous Offence.

XXXVII. Whenever Sentence shall be passed by a Court-martial on an Offender already imprisoned under Sentence of a Court-martial for any former Offence, it shall be lawful for the Court to award Imprisonment for the subsequent Offence to commence at the Expiration of the Imprisonment to which such Offender shall have been previously sentenced, and where such Offender shall be already under Sentence, either of Imprisonment or Transportation, the Court, if empowered to pass Sentence of Transportation, may award such Sentence for the subsequent Offence to commence at the Expiration of the Imprisonment or Transportation to which such Offender shall have been previously sentenced, although the aggregate of the Terms of Imprisonment or Transportation respectively may exceed the Term for which either of those Punishments would be otherwise awarded.

Term and Place of Imprisonment.

XXXVIII. Save as herein-before specially provided, every Term of Transportation or of Imprisonment under the Sentence of a Court-martial, whether original or revised, shall be reckoned as commencing on the Day on which the original Sentence and Proceedings shall have been signed by the President; and the Place of Imprisonment under the Sentences of General Courts-martial shall be appointed by the Officer commanding the District, Garrison, Island, or Colony, and under the Sentence of any other Court-martial shall be appointed by the Officer confirming the Proceedings of such Court-martial, and in default of such Appointment then the Place of Imprisonment shall be appointed by the Officer commanding the Regiment or Corps to which the Offender belongs or is attached.

XXXIX. It

Military Prisons.

XXXIX. It shall be lawful for the Secretary-at-War to set apart any Buildings now erected or which may hereafter be erected, or any Part or Parts thereof, as Military Prisons, and to declare that any Building, or any Two or more separate and detached Buildings, shall be, and thenceforth such Building or Buildings shall be deemed and taken to be, a Military Prison; and every Military Prison, whether the same now exist or may hereafter be established, which shall be, or which, under the Provisions of any former Act of Parliament, have been, so as aforesaid set apart or declared, shall be deemed to be a public Prison within the Meaning of this Act; and all and every the Powers and Authorities with respect to County Gaols or Houses of Correction which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State shall, with respect to all such Military Prisons, belong to and may be exercised by the Secretary-at-War; and it shall be lawful for the Secretary-at-War from Time to Time to make, alter, and repeal Rules and Regulations for the Government and Superintendence of any such Military Prison, and of the Governor, Provost Marshal, Officers, and Servants thereof, and of Offenders confined therein; and it shall be lawful for the Secretary-at-War from Time to Time to appoint an Inspector General and Inspectors of Military Prisons, and a Governor, or Provost Marshal, and all other necessary Officers and Servants for any such Military Prison, and, as Occasion may arise, to remove the Governor or Provost Marshal, Officer, or Servant of any such Military Prison; and the General or other Officer commanding any District or Foreign Station within which may be any such Military Prison, or such General or other Officer, and such other Person and Persons as the Secretary-at-War may from Time to Time appoint, shall be a Visitor or Visitors of such Prison; and the Secretary-at-War may authorize any General Officer commanding on a Foreign Station to appoint periodically Visitors to any Military Prison within his Command; and the Secretary-at-War shall transmit to the Visitor or Visitors of every Military Prison established by his Authority a Copy of the Rules and Regulations which are to be observed and enforced, and the same shall accordingly be observed and enforced, within such Prison; and every Inspector, Visitor, and Governor of any such Military Prison respectively shall, subject to such Rules and Regulations as may from Time to Time be made by the Secretary-at-War, have and exercise in respect of such Prison, and of the Governors, Officers, and Servants thereof, and of the Prisoners confined therein, all the Powers and Authorities, as well in respect of administering Oaths as otherwise, which any Inspector, Visiting Justice, or Governor of a County Gaol or House of Correction may respectively exercise as such.

XL. Every

Mutiny.

XL. Every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison or of any Gaol or House of Correction in any Part of Her Majesty's Dominions shall receive into his Custody any Military Offender under Sentence of Imprisonment by a General or other Court-martial, upon Delivery to him of an Order in Writing in that Behalf from the Officer commanding the Regiment or Corps to which the Offender belongs or is attached, which Order shall specify the Period of Imprisonment which the Offender is to undergo, and the Day and Hour of the Day on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court and during the Time specified in the said Order, or until he be discharged or delivered over to Military Custody before the Expiration of that Time under an Order duly made for that Purpose; and whenever Troops are called out in aid of the Civil Power, or are stationed in Billets, or are on the Line of March, every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, shall receive into his Custody any Soldier for a Period not exceeding Seven Days, upon Delivery to him of an Order in Writing on that Behalf from the Officer commanding such Troops.

Custody of Prisoners under Military Sentence in Common Gaols.

XLI. In the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any public Prison other than the Military Prisons set apart by the Authority of this Act, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions, it shall be lawful for the Officer who confirmed the Proceedings of the Court, or for the Officer commanding the District, Garrison, Island, or Colony, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and such Prisoner shall accordingly, on the Production of such Order, be discharged or be delivered over, as the Case may be: Provided also, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in Military Custody shall be reckoned as Imprisonment under the Sentence, for whatever Purpose such Detention shall take place.

Proviso for Removal of Prisoners.

Mutiny.

Their Subsistence in Common Gaols.

XLII. The Gaoler, or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, shall diet and supply every Soldier imprisoned by the Sentence of a Court-martial or as a Deserter with Fuel and other Necessaries according to the Regulations of such Place of Confinement, and shall receive on account of every Soldier, during the Period of his Imprisonment, Sixpence *per Diem*, which the Secretary-at-War shall cause to be issued out of the Subsistence of such Soldier, upon Application in Writing signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of Sixpence *per Diem* shall be carried to the Credit of the Fund from which the Expense of such Place of Confinement is defrayed.

Expiration of Imprisonment in Common Gaols.

XLIII. Every Gaoler, or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, or other Place of Confinement, to whom any Notice shall have been given, or who shall have Reason to believe or to know, that any Person in his Custody for any Offence, Civil or Military, is a Soldier liable to serve Her Majesty on the Expiration of his Imprisonment, shall give, if in *Great Britain*, to the Secretary-at-War, and if in *Ireland* to the General commanding Her Majesty's Forces in *Ireland*, One Month's Notice of the Period of such Expiration of Imprisonment, or if there shall not be sufficient Time for a Month's Notice then the longest practicable Notice thereof.

Musters and Punishment for false Musters.

XLIV. Musters shall be taken of every Regiment, Troop, or Company in Her Majesty's Service, twice at least in every Year, at such Times as shall be appointed; and no Soldier shall be absent from such Musters unless properly certified to be employed on some other Duty of the Regiment, or to be sick, or in Prison, or on Furlough; and every Officer who shall make any false or untrue Muster of Man or Horse, or shall wittingly or willingly allow or sign the Muster Roll wherein such false Muster is contained, or any Duplicate thereof, or who shall directly or indirectly take or cause to be taken any Money or Gratuity for mustering any Soldiers, or for signing any Muster Rolls or Duplicates thereof, or shall knowingly muster any Person by a wrong Name, upon Proof thereof upon Oath made by Two Witnesses before a General Court-martial, shall for such Offence be forthwith cashiered, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within the United Kingdom of *Great Britain* and *Ireland*, or in Her Majesty's Service.

XLV. Every

XLV. Every Soldier shall be liable to be tried and punished for Desertion from any Corps into which he may have enlisted, or from Her Majesty's Service, although he may of right belong to the Corps from which he shall have originally deserted; and whether such Soldier shall be tried for deserting from the Corps into which he originally enlisted, or for deserting from the same Corps into which he may have subsequently enlisted, or for any other Desertion, every Desertion previous or subsequent to that for which he may be so tried may, if duly stated in the Charges, be given in Evidence against him on such Trial.

Trials for Desertion after subsequent Re-enlistment.

XLVI. Upon reasonable Suspicion that a Person is a Deserter it shall be lawful for any Constable, or if no Constable can be immediately met with then it shall be lawful for any Officer or Soldier in Her Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and to bring or cause him to be brought before any Justice living in or near such Place, and acting for the County or Borough wherein such Place is situate, or for the County adjoining such first-mentioned County or such Borough; and such Justice is hereby authorized and required to inquire whether such suspected Person is a Deserter, and if it shall appear by the Testimony of One or more Witnesses, taken upon Oath, or by the Confession of such suspected Person, confirmed by some corroborative Evidence, or by the Knowledge of such Justice, or by Evidence sufficient to satisfy such Justice that there are reasonable Grounds for believing, that such suspected Person is a Deserter, such Justice shall forthwith cause him to be conveyed in civil Custody to the Head Quarters or Depôt of the Regiment to which he belongs, if stationed within Five Miles of the Place of Apprehension, or if such Head Quarters or Depôt shall not be stationed within Five Miles, then to the nearest or most convenient public Prison (other than a Military Prison set apart under the Authority of this Act) or Police Station legally provided as a Lock-up House for temporary Confinement of Persons taken into Custody, whether such Prison or Police Station be in the County or Borough in which such suspected Person was apprehended or in which he was committed or not; or if the Deserter shall have been apprehended by a Party of Soldiers of his own Regiment in charge of a Commissioned Officer, such Justice may deliver him up to such Party, unless the Officer shall deem it necessary to have the Deserter committed to Prison for safe Custody; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary-at-War, specifying therein whether such Deserter was delivered to his Regiment or to the Party of his Regiment in order for his being taken to the Head Quarters or Depôt of his Regiment, or whether such Deserter

Apprehension of Deserters in the United Kingdom.

Deserter was committed to Prison, to the end that the Person so committed may be removed by an Order from the Office of the said Secretary-at-War, and proceeded against according to Law; and such Justice shall also send to the Secretary-at-War a Report, stating the Names of the Persons by whom the Deserter was apprehended and secured; and the Secretary-at-War shall transmit to such Justice an Order for the Payment to such Persons of such Sum not exceeding Forty Shillings as the Secretary-at-War shall be satisfied they are entitled to, according to the true Intent and Meaning of this Act; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more; and every Gaoler and other Person into whose Custody any Person charged with Desertion is committed shall immediately upon the Receipt of the Person so charged into his Custody pay such Fee of Two Shillings, and also upon the Production of a Receipt from the Medical Practitioner who, in the Absence of a Military Medical Officer, may have been required to examine such suspected Person, a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary-at-War, and transmit also to the Secretary-at-War a Copy of the Commitment, to the end that such Secretary-at-War may order Repayment of the same; and when any Person shall be apprehended and committed as a Deserter in any of Her Majesty's Colonies the Justice shall forthwith cause him to be conveyed to some public Prison, if the Regiment to which he is suspected to belong shall not be in the Colony, or, if the Regiment be in the Colony, the Justice may, if within reasonable Distance, deliver him into Custody at the nearest Military Post, although the Regiment to which such Person is suspected to belong may not be stationed at such Military Post; and such Justice shall in every Case transmit to the General or other Officer commanding in the Colony a Description Return in the Form prescribed, to the end that such Person may be removed by Order of such Officer, and proceeded against according to Law.

In the Colonies.

Temporary Custody of Deserters in Gaols.

XLVII. Every Gaoler, or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, is hereby required to receive and confine every Deserter who shall be delivered into his Custody by any Soldier conveying such Deserter under lawful Authority, on Production of the Warrant of the Justice of the Peace on which such Deserter shall have been taken, or some Order from the Office of the Secretary-at-War, which Order shall continue in force until the Deserter shall have arrived at his Destination; and such Gaoler or Person shall be entitled to One Shilling for the safe Custody of the said Deserter while

while halted on the March, and to such Subsistence for his Maintenance as shall be directed by Her Majesty's Regulations.

Desertion of Recruits.

XLVIII. Any Recruit who shall desert prior to joining the Regiment for which he has enlisted shall, on being apprehended, and committed for such Desertion by any Justice of the Peace upon the Testimony of One or more Witnesses upon Oath, or upon his own Confession, be liable to be transferred to any Regiment or Depôt nearest to the Place where he shall have been apprehended, or to any other Regiment to which Her Majesty may deem it more desirable that he should be transferred: Provided always, that all Cavalry Recruits so committed for Desertion shall be transferred to Cavalry Regiments, and Infantry Recruits to Infantry Regiments; and that such Deserters thus transferred shall not be liable to other Punishment for the Offence, or to any other Penalty, except the Forfeiture of their personal Bounty, reserving only for them that Part of the Bounty which is applicable to and required for the Provision of Necessaries.

Fraudulent Confession of Desertion.

XLIX. Any Soldier who, while serving in any of Her Majesty's Forces, or the Embodied Militia, or the Forces of the *East India* Company, shall to any Officer or Non-commissioned Officer fraudulently confess himself to be a Deserter, shall be liable to be tried by Court-martial, and any Person who shall voluntarily deliver himself up and confess himself to be a Deserter from Her Majesty's Forces, or the Embodied Militia, or the Forces of the *East India* Company, or who, upon being apprehended for any Offence, shall, in the Presence of the Justice, confess himself to be a Deserter as aforesaid, shall be deemed to have duly enlisted and to be a Soldier, and shall be liable to serve in any of Her Majesty's Forces, as Her Majesty shall think fit to appoint, whether such Person shall have been actually enlisted as a Soldier or not; or in case such Person shall not be a Deserter as aforesaid, he shall be liable to be taken before Two Justices of the Peace, and on Proof that any such Confession as aforesaid was false shall by them be adjudged to be punished, if in *England*, as a Rogue and Vagabond, and if in *Scotland* or *Ireland* by Commitment to some Prison or House of Correction, there to be kept to Hard Labour for any Time not exceeding Three Months, or be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for amending and consolidating the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland* of an Act passed in the Ninth Year of the Reign of His 7 & 8 G. 4. c. 29.

9 G. 4. c. 55. Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, or shall be deemed guilty, if in *Scotland*, of Falsehood, Fraud, and wilful Imposition; and every Person so deemed to be guilty of obtaining Money under false Pretences, or of Falsehood, Fraud, and wilful Imposition, as the Case may be, shall be liable to be proceeded against and punished accordingly; and the Confession and receiving Subsistence as a Soldier by such Person shall be Evidence of the false Pretence, or of the Falsehood, Fraud, and Imposition, as the Case may be, and of the obtaining Money to the Amount of the Value of such Subsistence, and the Value of such Subsistence so obtained may be charged in the Indictment as so much Money received by such Person; and in case such Person shall have been previously convicted of the like Offence, or shall have been summarily convicted and punished, in *England*, as a Rogue and Vagabond, or in *Scotland* or *Ireland* by Commitment, for making a fraudulent Confession of Desertion, such former Conviction may be alleged in the Indictment, and may be proved upon the Trial of such Person; and in such Indictment for a Second Offence it shall be sufficient to state that the Offender was at a certain Time and Place convicted of obtaining Money under false Pretences as a Deserter, or for making a fraudulent Confession of Desertion, without otherwise describing the said Offence; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction for the former Offence, purporting to be signed by the Clerk of the Court or other Officer having the Custody of the Records of the Court where the Offender was first convicted, or by the Deputy of such Clerk, or by the Clerk of the convicting Magistrates, shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of the First Conviction, without Proof of the Signature or official Character of the Person appearing to have signed the same; and if the Person so confessing himself to be a Deserter shall be serving at the Time in any of Her Majesty's Forces, he shall be deemed to be and shall be dealt with by all Justices and Gaolers as a Deserter.

Extension of Furlough in case of Sickness.

L. When there shall not be any Military Officer of Rank not inferior to Captain, or any Adjutant of Regular Militia, within convenient Distance of the Place where any Non-commissioned Officer or Soldier on Furlough shall be detained by Sickness or other Casualty rendering necessary any Extension of such Furlough, it shall be lawful for any Justice who shall be satisfied of such Necessity to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall by Letter immediately certify such

such Extension and the Cause thereof to the Commanding Officer of the Corps or Detachment to which such Non-commissioned Officer or Soldier belongs, if known, and if not, then to the Agent of the Regiment, in order that the proper Sum may be remitted to such Non-commissioned Officer or Soldier, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter: Provided always, that nothing herein contained shall be construed to exempt any Soldier from Trial and Punishment, according to the Provisions of this Act, for any false Representation made by him in that Behalf to the said Justice, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough.

No Person acquitted or convicted by the Civil Magistrate or by a Jury to be tried by Court-martial for the same Offence.

LI. No Person subject to this Act, having been acquitted or convicted of any Crime or Offence by the Civil Magistrate, or by the Verdict of a Jury, shall be liable to be again tried for the same Crime or Offence by a Court-martial, or punished for the same, otherwise than by cashiering; and whenever any Officer or Soldier shall have been tried by any Court of ordinary Criminal Jurisdiction, the Clerk of such Court or other Officer having the Custody of the Records of such Court, or the Deputy of such Clerk, shall, if required by the Officer commanding the Regiment to which such Officer or Soldier shall belong, transmit to him a Certificate, containing the Substance and Effect only of the Indictment, omitting the formal Part, and containing also a Copy of the Entry of the Judgment of the Court thereon if such Officer or Soldier shall have been convicted, or of the Acquittal of such Officer or Soldier, and shall be allowed for such Certificate a Fee of Three Shillings.

Soldiers liable to be taken out of Her Majesty's Service only for Felony, Misdemeanor, or for Debts amounting to 30*l.* and upwards.

LII. Any Person enlisted into Her Majesty's Service as a Soldier, or serving as a Non-commissioned Officer or Drummer on the permanent Staff of the Disembodied Militia, shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony or of Misdemeanor, other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least, over and above all Costs of Suit in the Action or Actions, such Affidavit to be sworn, without Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Facts sworn to, and the Day of filing such Affidavit; but no Soldier or other Person as aforesaid shall

Soldiers not liable to be

taken out of Her Majesty's Service for Debts under 30*l.*, or for not maintaining their Families, or for Breach of Contract.

shall be liable to be summoned before any Justice of the Peace or other Authority whatever, or to be taken out of Her Majesty's Service, by any Capias, Writ, Summons, Order, Judgment, Process, or Execution issued by or by the Authority of any Court or Inferior Court for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for deserting or having deserted, or for leaving or having left chargeable to any Parish, Township, or Union, any Wife, or any Child or Children, legitimate or illegitimate, or other Relation, which such Soldier or Person would, if not in Her Majesty's Service, be liable by Law to support or maintain, or for the Breach of any Contract, Covenant, Agreement, or other Engagement whatever, by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences, on account of any of the Matters for which it is herein declared that a Soldier or other Person as aforesaid is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void to all Intents and Purposes; and any Judge of any such Court may examine into any Complaints made by a Soldier or by his Superior Officer, and by Warrant under his Hand discharge such Soldier, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Soldier out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Soldier, or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body; provided also, that nothing herein contained, relating to the leaving or deserting a Master or Employer, or to the Breach of any Contract, Agreement, or Engagement, shall apply to Persons who shall be really and *bonâ fide* Apprentices, duly bound, under the Age of Twenty-one Years, as herein-after prescribed.

Officers not liable to take Parish Apprentices.

LIII. No Officer of Her Majesty's Forces residing in Barracks or elsewhere under Military Law shall be deemed liable to have any Parish poor Child bound Apprentice to him.

Officers not to be Sheriffs or Mayors.

LIV. No Person who shall be commissioned and in Full Pay as an Officer shall be capable of being nominated or elected to be Sheriff of any County or other Place, or to be Mayor, Portreeve, Alderman,

Alderman, or shall be capable of holding any Office in any Municipal Corporation in any City, Borough, or Place in *Great Britain* or *Ireland*.

Enlisting and swearing of Recruits.

LV. Every Person who shall receive Enlisting Money, knowing it to be such, from any Person employed in the Recruiting Service, and being an Officer, Non-commissioned Officer, an attested Soldier, or an Out-Pensioner of *Chelsea* Hospital authorized to enlist Recruits, shall be deemed to be enlisted as a Soldier in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall within Twelve Hours after the Receipt of the Enlisting Money cause to be taken down in Writing the Name and Place of Abode of such Recruit, and (if such Recruit shall not reside in or in the Vicinity of the Town or Place where he offered to enlist) the Place also at which he shall declare that he intends to sleep, in order that within Forty-eight but not sooner than Twenty-four Hours (any intervening *Sunday* not included) after his having received the Enlisting Money Notice of his having so enlisted be given to the Recruit in the Form prescribed in the Schedule to this Act annexed, or left at his usual Place of Abode, or at the Place where he stated that it was his Intention to sleep; and when any Person shall be enlisted as a Soldier in Her Majesty's Land Service he shall, within Ninety-six Hours (any intervening *Sunday* not included), but not sooner than Twenty-four Hours after such enlisting, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before any Justice or other Magistrate residing in the Vicinity of the Place where such Person shall have enlisted, or before any Justice or other Magistrate acting for the Division, District, or Place where such Recruit shall have been enlisted, and not being an Officer in the Army; and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall then and there, and in the Presence of the said Recruit, record or cause to be recorded in Writing his Answers thereunto; and the said Justice is hereby required forthwith to read over, or cause his Clerk in his Presence to read over, to such Recruit, the Fortieth and Forty-sixth Articles of the Articles of War against Mutiny and Desertion, and to administer to such Recruit the Oath in the Schedule to this Act annexed, or for Service in the Forces of the *East India* Company, as may be applicable to the Case of the Recruit, and no other Oaths; and the Fee for administering each Oath shall be One Shilling and no more; and the said Justice is hereby required to give under his Hand the Certificate in the Schedule

to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Justice, at the Request of the Officer or Non-commissioned Officer with whom he enlisted, to detain and confine such Person until he shall take the said Oath of Fidelity.

Dissent and Relief from Enlistment.

LVI. Any Recruit appearing as aforesaid before such Justice shall be at liberty to declare his Dissent to such enlisting, and upon such Declaration, and returning the Enlisting Money, and also paying the Sum of Twenty Shillings as Smart Money, together with the full Amount of any Pay which shall have been paid to such Recruit subsequent to the Period of his having been enlisted, shall be forthwith discharged and set at liberty in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent, to return and pay such Money as aforesaid, he shall be deemed and taken to be enlisted, as if he had given his Assent thereto before the said Justice: Provided always, that it shall be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Ninety-six Hours as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Justice, upon Proof to his Satisfaction, that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and after deducting One Shilling as the Fee to his Clerk for reporting the Payment to the Secretary-at-War, shall be paid to any Person belonging to the Recruiting Party entitled thereto demanding the same; and no Recruit who has been actually, though erroneously, discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment, shall be liable on that account to be proceeded against as having deserted from Her Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Offences connected with Enlistment.

LVII. If any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Ninety-six Hours as aforesaid, such Recruit shall

shall be deemed to be enlisted and a Soldier in Her Majesty's Service, or in the Service of the *East India* Company, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Ninety-six Hours as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted: Provided always, that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to Her Majesty's Secretary-at-War, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he be finally adjudged to be a Deserter; and any Recruit who shall have enlisted into and been attested for Her Majesty's Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmity concealed or not declared by such Recruit before the Justice at the Time of his Attestation, may be transferred to any Garrison or Veteran or Invalid Battalion or Company, notwithstanding he shall have enlisted for any particular Regiment, and shall be entitled to receive such Proportion or Residue of Bounty only as Her Majesty may allow in that Behalf, instead of the Bounty upon which such Man shall have been enlisted, anything in any Act or Acts, or any Rules and Regulations relating to Soldiers, to the contrary notwithstanding; and it shall be lawful for any Two Justices acting for the County, District, City, Burgh, or Place where any such Recruit shall at any Time happen to be when any such Recruit shall be brought, and shall be proved upon Oath before them upon being attested to have concealed his having been a Soldier and discharged, or to have concealed his having been discharged upon any prior Enlistment, or to have wilfully concealed any such Infirmity, or to have designedly made any false Representation, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by

any

any Law in force may be inflicted upon Rogues and Vagabonds, and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned, with Hard Labour, in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed, before the Justice, at the Time of his Attestation, and shall obtain any Enlisting Money or Bounty for entering into Her Majesty's Service, or into the Service of the *East India* Company, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and any attested Recruit who shall in any Part of Her Majesty's Dominions or elsewhere have committed any of the before-mentioned Offences regarding Enlistment may be summarily punished, or prosecuted, tried and convicted, for any such Offence, at any Time during the Continuance of the Service for which he shall have enlisted, and in any County or Place where he may happen to be when such summary Proceeding or Prosecution shall be instituted; and the Production of the Oath in the Schedule to this Act annexed, taken by the Recruit on his Attestation, and the Certificate then signed by the Justice before whom the Recruit was attested, certifying that the Questions and Answers contained in the Attestation were in his Presence put to and given by such Recruit, shall, in the Absence of Proof to the contrary, be deemed and taken to be sufficient Evidence of such Recruit having represented the several Particulars as in the Oath sworn by him; and Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in Her Majesty's Service, or to Her Majesty's Ordnace, Navy, or Marines, or to the Forces of the *East India* Company, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary-at-War by the Justice before whom such Proof shall have been given; and any Man having been enrolled as a Volunteer under the Act Fifteenth and Sixteenth *Victoria*, Chapter Fifty, to serve in the Militia at the Time of offering to enlist who shall deny that

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

that he is a Militia Man then actually enrolled and engaged to serve, or shall deny to the Justice before whom he shall be attested that he belongs to the Militia, shall, in lieu of and instead of the Penalties now imposed by Law for such Offence, on Conviction thereof before any One Justice in the United Kingdom, either upon Oath of One Witness or upon his own Confession, or upon the Production of the Attestation, and the before-mentioned Acknowledgment of such Person, certified by the Secretary-at-War or Deputy Secretary-at-War, or upon the Offence being proved before a Regimental Court of Inquiry, forfeit all Militia Bounty which would have become payable to him during the Period of his belonging to Her Majesty's Regular Forces if he had not therein enlisted, and be subjected to a Stoppage of One Penny a Day from his Pay for Eighteen Calendar Months, to be applied as the Secretary-at-War shall direct; or if enrolled in the Militia as a balloted Man or Substitute shall, if convicted before any One Justice as aforesaid, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprise for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable; and such Person, whether he shall have been enrolled as a Volunteer or as a balloted Man or Substitute, shall from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces into which he shall have so enlisted: Provided always, that every such Person shall be liable to serve within the United Kingdom of *Great Britain* and *Ireland* in any Regiment, Battalion, or Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces, in which he has so enlisted, during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and liable to be apprehended and dealt with and punished as a Deserter from the Corps in which he shall have so enlisted if he shall neglect or refuse to join and serve in such Corps as aforesaid.

Punishment of Officers offending against Laws regarding Enlistment.

LVIII. Every Military Officer who shall wilfully act contrary to the Provisions of this Act in any respect regarding the enlisting and attesting of Recruits for Her Majesty's Service or for the Service of the *East India* Company shall, upon Proof thereof upon Oath by Two Witnesses before a General Court-martial, be cashiered, and disabled to hold any Civil or Military Office or Employment in Her Majesty's Service.

Enlistment and Re-enlistment abroad.

LIX. And whereas it is expedient that Provision should be made for enlisting and attesting of Soldiers desirous of re-enlisting and others

others desirous of enlisting abroad: Be it therefore enacted, That it shall be lawful for Her Majesty, by any Warrant signed by the Secretary-at-War in that Behalf, to authorize the Governors of Colonies, and of the several Presidencies in *India*, to appoint any Person, not being a General Officer nor holding any Regimental Commission, to enlist and attest, out of *Great Britain* or *Ireland*, any Soldiers or Persons desirous of enlisting or re-enlisting into Her Majesty's Service; and any Person so appointed shall have the same Powers in that Behalf as are given to Justices in the United Kingdom for all such Purposes of Enlistment and Attestation; and all such Appointments, past and future, and everything done or to be done under them, shall be valid and of full Effect notwithstanding the Expiration of this Act or of any other Act of Parliament; and any Person so enlisted or re-enlisted shall be deemed to be an attested Soldier; and as often as any Corps shall be relieved or disbanded at any Station beyond the Seas it shall be lawful for any Officers thereunto authorized by the Officer commanding in chief at such Station to receive as Transfers as many of the Soldiers belonging to the Corps leaving the Station as shall be willing and fit for Service for any Corps appointed to remain; and every Soldier so transferred is hereby deemed to be discharged from his former Corps, and an attested Certificate of Transfer shall be delivered to the Soldier; and every Infantry Soldier consenting to be transferred to the Cavalry or Artillery shall upon such Transfer become liable to serve the limited Period prescribed for the Cavalry or Artillery, as the Case may be, notwithstanding his original Engagement to serve in the Infantry for a shorter Period.

Enlistment of Negroes.

LX. All Negroes or Persons of Colour who, although not born in any of Her Majesty's Colonies, Territories, or Possessions, shall have voluntarily enlisted into Her Majesty's Service, shall while serving be deemed to be Soldiers legally enlisted into Her Majesty's Service, and entitled to all the Privileges of natural-born Subjects; and all Negroes purchased by or on account of Her Majesty previous to the total Abolition of Slavery throughout the *British* Colonies, and serving in any of Her Majesty's Forces, and all Negroes who have been seized and condemned as Prize under the Slave Trade Acts, and appointed to serve in Her Majesty's Army, shall be deemed to be and shall be entitled to all the Advantages of Negroes or Persons of Colour voluntarily enlisted to serve as Soldiers in any of Her Majesty's Colonial Forces.

Apprentice enlisting to be liable to serve after the Expiration of his

LXI. Any Person duly bound as an Apprentice who shall enlist as a Soldier in Her Majesty's or the *East India* Company's Service, and shall state to the Magistrate before whom he shall be carried and attested that he is not an Apprentice, shall be deemed guilty

guilty of obtaining Money under false Pretences within the true Intent and Meaning of the before-recited Acts, if in *England* or in *Ireland*, and of Falsehood, Fraud, and wilful Imposition, if in *Scotland*, and shall after the Expiration of his Apprenticeship, whether he shall have been so convicted and punished or not, be liable to serve as a Soldier in any of Her Majesty's Regular Forces, or in the Forces of the *East India* Company, according to the Terms of the Enlistment, and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits, may be taken as a Deserter from Her Majesty's Forces. Apprenticeship.

LXII. No Master shall be entitled to claim an Apprentice who shall enlist as a Soldier in Her Majesty's or the *East India* Company's Service, unless he shall, within One Calendar Month after such Apprentice shall have left his Service, go before some Justice, and take the Oath mentioned in the Schedule to this Act annexed, and produce the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed, and unless such Apprentice shall have been bound, if in *England*, for the full Term of Seven Years, not having been above the Age of Fourteen when so bound, and if in *Ireland* or in the *British Isles*, for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound, and, if in *Scotland*, for the full Term at least of Four Years by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture in *Scotland* shall, within Three Months after the Commencement of the Apprenticeship, and before the Period of Enlistment, have been produced to a Justice of the Peace of the County in *Scotland* wherein the Parties reside, and there shall have been endorsed thereon by such Justice a Certificate or Declaration signed by him specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to endorse and sign, and unless such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age: Provided always, that any Master of an Apprentice indentured for the Sea Service shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice may have been bound for a less Term than Seven, Five, or Four Years as aforesaid: Provided also, that any Master who shall give up the Indentures of Apprenticeship within One Month after the enlisting of such Apprentice shall be entitled to receive to his own Use so much of the Bounty payable Claims of Masters to Apprentices.

payable to such Recruit, after deducting therefrom Two Guineas to provide him with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice.

Punishment of Apprentices enlisting.

LXIII. No Apprentice claimed by his Master shall be taken from any Corps or Recruiting Party but under a Warrant of a Justice residing near, and within whose Jurisdiction such Apprentice shall then happen to be, before whom he shall be carried; and such Justice shall inquire into the Matter upon Oath, which Oath he is hereby empowered to administer, and shall require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to the Commanding Officer, and a Copy thereof left with some Officer or Non-commissioned Officer of the Party, and that such Person so enlisted declared that he was no Apprentice; and such Justice, if required by such Officer or Non-commissioned Officer, shall commit the Offender to the Common Gaol of the said Place, and shall keep the Indenture to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or at the Sessions immediately succeeding the next General or Quarter Sessions of the County, Division, or Place, unless the Court shall on just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justices that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender, in *Scotland*, may be tried by the Judge Ordinary in the County or Stewartry, in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment: Provided always, that any Justice not required as aforesaid to commit such Apprentice may deliver him to his Master.

Wages of Servants enlisting.

LXIV. It shall be lawful for the Justice before whom any Recruit shall be attested before the Expiration of the Term of Service for which he had been hired by his Master to adjudge to such Recruit a reasonable Proportion of his Wages for the Time he has actually served; and the said Justice shall make an Order for the Payment of the Amount so awarded, and in case of Neglect or Refusal to pay the same within Four Days shall issue his Warrant for levying the same by Distress and Sale of the Goods and Chattels of the Master.

Removal of Doubts as to Attestation of Soldiers.

LXV. And whereas certain Soldiers who have heretofore been duly enlisted, and who have voluntarily taken the Oath of Allegiance and Fidelity, and are now receiving Her Majesty's Pay, have been sworn and attested, but Doubts have arisen whether the Justices before whom the said Soldiers have been so sworn and attested were duly

duly qualified to administer to such Soldiers the Oaths prescribed by the several Acts passed for the punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters: In every Case where any such Soldier, having been duly enlisted, shall have been so attested and sworn, and shall not have claimed to be discharged on or before the Seventeenth Day of *March* One thousand eight hundred and forty-six, he shall not be entitled to his Discharge by reason of such Informality, but shall be liable to all the Provisions of this Act, and of the Act passed during the last Session of Parliament for the punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, where in force, and shall be entitled to the full Benefit of his past Service, and to all Pay and Pension in respect thereof, to all Intents and Purposes and in like Manner as if he had been duly attested and sworn.

Authorized Deductions only to be made from the Pay of the Army.

LXVI. No Secretary-at-War, Paymaster General of the Army, Paymaster, or any other Officer whatsoever, or their under Officers, shall receive any Fees or make any Deductions whatsoever, out of the Pay of any Officer or Soldier in Her Majesty's Army, or from their Agents, which shall grow due from and after the Twenty-fifth Day of *April* One thousand eight hundred and fifty-three other than the usual Deductions, or such other necessary Deductions as shall from Time to Time be required by Her Majesty's Regulations, or by Her Majesty's Order signified by the Secretary-at-War; and every Paymaster or other Officer having received any Officer's or Soldier's Pay who shall unlawfully detain the same for the Space of One Month, or refuse to pay the same when it shall become due, according to the several Rates and agreeably to the several Regulations established by Her Majesty's Orders, shall, upon Proof thereof before a Court-martial, be discharged from his Employment, and shall forfeit One hundred Pounds, and the Informer, if a Soldier, if he demand it, shall be discharged from any further Service; provided, as aforesaid, that it shall be lawful for Her Majesty's Secretary-at-War to give Orders for withholding the Pay of any Officer or Soldier for any Period during which such Officer or Soldier shall be absent without Leave, or improperly absent from his Corps and from his Duty, or, in case of any Doubt as to the proper Issue of Pay, to withhold it from the Parties aforesaid until Her Majesty's Orders shall have been signified by the Secretary-at-War.

Suspending Operation of recited Acts.

LXVII. And whereas by Petition of Right in the Third Year of King *Charles* the First it is enacted and declared, that the People of the Land are not by the Laws to be burdened with the sojourning of Soldiers against their Wills; and by a Clause in an Act of the

Parliament of *England*, made in the Thirty-first Year of the Reign of King *Charles* the Second, for granting a Supply to His Majesty of Two hundred and six thousand four hundred and sixty-two Pounds Seventeen Shillings and Threepence, for paying and disbanding the Forces, it is declared and enacted, that no Officer, Civil or Military, nor other Person whosoever, should thenceforth presume to place, quarter, or billet any Soldier upon any Subject or Inhabitant of this Realm, of any Degree, Quality, or Profession whatsoever, without his Consent, and that it shall be lawful for any Subject or Inhabitant to refuse to quarter any Soldier, notwithstanding any Warrant or Billeting whatsoever: And whereas by an Act passed in the Parliament of *Ireland* in the Sixth Year of the Reign of Queen *Anne*, Chapter Fourteen, Section Eight, intituled *An Act to prevent the Disorders that may happen by the marching of Soldiers, and providing Carriages for the Baggage of Soldiers on their March*, it was enacted, that no Officer, Soldier, or Trooper in the Army, nor the Servant of any Officer, nor any Attendant on the Train of Artillery, nor any Yeoman of the Guard or Battle-axes, nor any Officer commanding the said Yeomen, nor any Servant of any such Officer, should at any Time thereafter have received or be allowed any Quarters in any Part of *Ireland*, save only during such Time or Times as he or they should be on their March as in the same Act is before mentioned, or during such Time as he or they should be and remain in some Seaport Town or other Place in the Neighbourhood of a Seaport Town in order to be transported, or during such Time as there should be any Commotion in any Part of *Ireland*, by reason of which Emergency the Army, or any considerable Part thereof, should be commanded to march from One Part of *Ireland* to another: But forasmuch as there is and may be Occasion for the marching and quartering of Regiments, Troops, and Companies in several Parts of the United Kingdom of *Great Britain* and *Ireland*, the said several Provisions of the said recited Acts shall be suspended and cease to be of any Force or Effect during the Continuance of this Act: And whereas by the Eleventh Section of the said Act of the Sixth Year of the Reign of Queen *Anne*, Chapter Fourteen, it is provided and enacted, that no Civil Magistrate or Constable should be obliged to find Quarters for or give Billets to more or other Soldiers than those only whose true Christian and Surnames should be delivered to him in Writing under the Hand of the Officer desiring Quarters or Billets for such Soldiers at the Time such Quarters or Billets should be desired, and that all such Names should be written together and delivered in One Piece of Paper, signed as aforesaid, and that the Christian and Surnames of every Soldier to be quartered or billeted, together with the Name of the Person on whom he or they should be billeted or quartered, should be given in Writing by the Constable or Civil

6 Anne, c. 14. s. 8.

Certain Requirements of 6 Anne, c. 14. as to Billeting in Ireland not now necessary.

Civil Officer billeting or quartering such Soldier, and be contained in the Billet given by such Civil Officer: And whereas it has been found inconvenient and difficult to comply with all the Requirements of the said Enactment: It shall not be necessary, so long as this Act shall continue in force, for any Officer, upon the Occasion of his requiring Quarters or Billets for any Soldiers in *Ireland*, to deliver to the Constable or other Person whose Duty it shall be to find or give the same any List of the Names of the Soldiers to be so quartered or billeted; and that it shall not be necessary for the Constable or other such Person as aforesaid to set forth in any Billet the Name of any Soldier to be billeted or quartered, but only to the Number of the Soldiers, or the Number of the Soldiers and Horses respectively, as the Case may require, to be billeted or quartered on the Person named in the Billet, and to whom the same shall be addressed.

How and where Troops may be billeted.

LXVIII. It shall be lawful for all Constables of Parishes and Places, and other Persons specified in this Act, in *England* and *Ireland*, and they are hereby required to billet the Officers and Soldiers in Her Majesty's Service and Persons receiving Pay in Her Majesty's Army, and the Horses belonging to Her Majesty's Cavalry, and also all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to any of Her Majesty's other Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by Her Majesty's Regulations, in Victualling Houses and other Houses specified in this Act (taking care in *Ireland* not to billet less than Two Men in One House, except only in case of billeting Cavalry as specially provided); and they shall be received by the Occupiers of such Houses in which they are so allowed to be billeted, and be furnished by such Victuallers with proper Accommodation in such Houses, or if any Victualler shall not have sufficient Accommodation in the House upon which a Soldier is billeted, then in some good and sufficient Quarters to be provided by such Victualler in the immediate Neighbourhood, and in *England* with Diet and Small Beer, and with Stables, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Time when Troops are on a March shall any of them, whether Infantry or Cavalry, be billeted above One Mile from the Place mentioned in the Route; and in all Places where Cavalry shall be billeted in pursuance of this Act, the Men and their Horses shall be billeted in One and the same House, except in case of Necessity; and in no other Case whatsoever shall there be less than One Man billeted where there shall be One or Two Horses, nor less than Two Men where there shall be Four Horses, and so in proportion for a greater Number; and in

in no Case shall a Man and his Horse be billeted at a greater Distance from each other than One hundred Yards; and the Constables are hereby required to billet all Soldiers and their Horses on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in the Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were locally situate within such Place; provided that nothing herein contained shall be construed to extend to authorize any Constable to billet Soldiers out of the County to which such Constable belongs when the Constable of the adjoining County shall be present and undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Soldiers and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present; and if any Person shall find himself aggrieved by having an undue Proportion of Soldiers billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice then to Two or more Justices within whose Jurisdiction such Soldiers are billeted, such Justices respectively shall have Power to order such of the Soldiers to be removed, and to be billeted upon other Persons, as they shall see Cause; and when any of Her Majesty's Cavalry or any Horses as aforesaid shall be billeted upon the Occupiers of Houses in which Officers or Soldiers may be quartered by virtue of this Act who shall have no Stables, then and in such Case, upon the written Requisition of the Commanding Officer of the Regiment, Troop, or Detachment, the Constable is hereby required to billet the Men and their Horses, or Horses only, upon some other Person or Persons who have Stables by this Act liable to have Officers and Soldiers billeted upon them; and upon Complaint being made by the Person or Persons to whose House or Stables the said Men and Horses shall have been so removed to Two or more Justices within whose Jurisdiction such Men or Horses shall be so billeted, it shall be lawful for such Justices to order a proper Allowance to be paid by the Person relieved to the Persons receiving such Men and Horses, or to be applied in furnishing the requisite Accommodation; and Commanding Officers may exchange any Man or Horse billeted in any Place, with another Man or Horse billeted in the same Place, for the Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Soldiers requiring Billets, to extend

any

any Routes or enlarge the Districts within which Billets shall be required, in such Manner as shall appear to be most convenient to the Troops; provided that, to prevent or punish all Abuses in billeting Soldiers, it shall be lawful for any Justice within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Soldiers who shall be quartered by such Constables, together with the Names of the Persons upon whom such Officers and Soldiers are billeted, stating the Street or Place where such Persons dwell, and the Sign, if any, belonging to those Houses; and it shall be lawful for Constables to billet Officers and Soldiers in *Scotland* according to the Provisions of the Laws in force in *Scotland* at the Time of its Union with *England;* and no Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of *Edinburgh:* Provided that no Officer or Soldier shall be billeted in *England* in any private Houses, or in any Canteen held or occupied under the Authority of the Ordnance Department, or upon Persons who keep Taverns only, being Vintners of the City of *London* admitted to their Freedom of the said Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences, nor in the Houses of any Distiller kept for distilling Brandy and Strong Waters, nor in the House of any Storekeeper whose principal Dealing shall be more in other Goods and Merchandise than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit tippling in such Houses, nor in the House of Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such.

Exemptions from Billets.

LXIX. The Officers and Soldiers of Her Majesty's Foot Guards shall be billeted within the City and Liberties of *Westminster* and Places adjacent, lying in the County of *Middlesex* (except the City of *London*) and in the County of *Surrey*, and in the Borough of *Southwark*, in the same Manner and under the same Regulations as in other Parts of *England*, in all Cases for which particular Provision is not made by this Act; and the High Constable shall, on Receipt of the Order for billeting Soldiers, deliver Precepts to the several Constables within their respective Divisions, in pursuance of which the said Constables shall billet such Officers and Soldiers equally and proportionally on the Houses subjected thereto by this Act; and the said Constables shall, at every General Sessions of the Peace to be holden for the said City and Liberties, Counties and Borough respectively, make and deliver to the Justices then in open Session assembled, upon Oath, which Oath the said Justices are hereby required to administer, Lists, signed by them respectively, of the Houses subject by this Act to receive Officers and Soldiers,

Billeting the Guards in and near Westminster.

 together

together with the Names and Rank of all Officers and Soldiers billeted on each respectively, which Lists shall remain with the respective Clerks of the Peace, for the Inspection of all Persons, without Fee or Reward; and such Clerk shall forthwith from Time to Time deliver to any Persons who shall require the same true Copies of any such Lists, upon being paid Twopence *per* Sheet for the same, each Sheet to contain at the least One hundred and fifty Words.

Military Officers not to act as Justices in billeting.

LXX. No Justice having or executing any Military Office or Commission in any Part of the United Kingdom shall, directly or indirectly, be concerned in the billeting or appointing Quarters for any Soldier in the Regiment, Troop, or Company under the immediate Command of such Justice, but that all Warrants, Acts, or Things so appointed by such Justice for or concerning the same shall be void.

Allowance to Innkeepers.

LXXI. The Innholder or other Person on whom any Soldier is billeted in *England* shall, if required by such Soldier, furnish him for every Day of the March, and for a Period not exceeding Two Days when halted at the intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Tenpence; and all Innholders and other Persons on whom Soldiers may be billeted in *England*, except when on the March and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Soldiers with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of One Halfpenny *per Diem* for each Soldier; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Forces shall be billeted in *England*, for Hay and Straw, shall be Ninepence *per Diem* for each Horse; and in *Ireland* the Sum to be paid for Forage to the Innholder or other Person, for Horses billeted by virtue of this Act, shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland*; and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses on which they are billeted, the Sum of

of Fourpence *per* Week for each Horse shall be paid; and every Officer to whom it belongs to receive or who does actually receive the Pay for any Officers or Soldiers shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle the just Demands of all Victuallers or other Persons upon whom such Officers and Soldiers are billeted, out of their Pay and Subsistence, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any such Officer shall not pay the same as aforesaid, then, upon Complaint, and Oath made thereof by any Two Witnesses before Two Justices of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where such Quarters were situated, sitting in Quarter or Petty Sessions, the Secretary-at-War is hereby required (upon Certificate of the Justices before whom such Oath was made of the Sum due upon such Accounts, and the Persons to whom the same is owing,) to give Orders to the Regimental Agent to pay the said Sums, and to charge the same against such Officers; and in case of any Soldier being suddenly ordered to march, and that the respective Commanding Officers are not enabled to make Payment of the Sums due for the Lodging of the Men and Stabling for the Horses, every such Officer shall, before his Departure, make up the Account with every Person upon whom such Soldier may have been billeted, and sign a Certificate thereof; which Account and Certificate shall be transmitted to the Agent of the Regiment, who is hereby required to make immediate Payment thereof, and to charge the same to the Account of such Officer.

Definition of Terms.

LXXII. All the Powers and Provisions in this Act contained relating to *England* shall be construed to extend to *Wales* and the Town of *Berwick upon-Tweed;* and all Powers and Provisions relating to the *British Isles* shall be construed to extend to *Guernsey*, *Jersey*, *Alderney*, *Sark*, and *Man*, and all Isles thereto and to *England* and *Ireland* belonging; and all Powers and Provisions relating to Soldiers shall be construed to extend to Non-commissioned Officers, unless when otherwise provided; and all Powers and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions, and to Chief Magistrates of exclusive local Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables in relation to the billeting of Officers and Soldiers, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers, and Inspectors or other Officers of Police, and High Constables and other Chief Officers and Magistrates of Cities, Towns, Villages, Hamlets, Parishes, and Places in *England* and *Ireland*, and to all Justices

Powers and Regulations as to Billets.

Justices of the Peace, Magistrates of Burghs, Commissioners of Police, and other Chief Officers and Magistrates of Cities, Towns, Villages, Parishes, and Places in *Scotland*, who shall act in the Execution of this Act in relation to billeting; and all Provisions for billeting Officers and Soldiers in Victualling Houses shall extend and apply to all Inns, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drank in their own Houses, or Places thereunto belonging, and to all Houses of Persons selling Brandy, Strong Waters, Cider, or Metheglin, by Retail, in *England* and *Ireland;* and in *Ireland*, when there shall not be found sufficient Room in such Houses, then to billeting Soldiers in such Manner as has been heretofore customary.

Supply of Carriages.

LXXIII. For the regular Provision of Carriages for Her Majesty's Forces, and their Baggage, in their Marches in *Great Britain* and *Ireland*, all Justices of the Peace within their several Jurisdictions, being duly required thereunto by an Order from Her Majesty, or the General of Her Forces, or the Master General or Lieutenant General of Her Majesty's Ordnance, or other Person duly authorized in that Behalf, shall, on Production of such Order, or a Copy thereof certified by the Commanding Officer, to such Justices, by some Officer or Non-commissioned Officer of the Regiment so ordered to march, issue a Warrant to any Constable having Authority to act in any Place from, through, near, or to which the Troop shall be ordered to march, (for each of which Warrants the Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses and Oxen, and Drivers therein mentioned, and allowing sufficient Time to do the same, specifying the Places from and to which the said Carriages shall travel, and the Distance between the Places, for which Distance only so specified Payment shall be demanded, and which Distance shall not, except in Cases of pressing Emergency, exceed a Day's March prescribed in the Order of Route, and shall in no Cases exceed Twenty-five Miles; and the Constables receiving such Warrants shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly; and when sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of Proceeding, supply the Deficiency; and in order that the Burden of providing Carriages may fall equally, and to prevent Inconvenience arising from there being no Justice near the Place where Troops may be quartered on the March, any Justice residing nearest to such Place may cause a List to be made out once in every Year of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, (which Lists shall at all seasonable Hours be open

open to the Inspection of the said Persons,) and may by Warrant under his Hand authorize the Constable within his Jurisdiction to give Orders to provide Carriages, without any special Warrant for that Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation as far as the same can be done.

Rates to be paid for Carriages, and Regulations relating thereto.

LXXIV. In every Case in which the whole Distance for which any Carriage shall be impressed shall be under One Mile the Rate of a full Mile shall be paid; and the Rates to be paid for Carriages impressed shall be, in *England*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses, carrying not less than Fifteen Hundredweight, shall travel, Ninepence; and for every Mile any other Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundredweight, shall travel, Sixpence; and in *Ireland*, for every Hundredweight loaded on any Wheel Carriage, One Halfpenny *per* Mile; and in *England* such further Rates may be added, not exceeding a total Addition *per* Mile of Fourpence, Threepence, or Twopence, to the respective Rates of One Shilling, Ninepence, or Sixpence, as may seem reasonable to the Justices assembled at General Sessions for their respective Districts, or to the Recorder of any Municipal City, Borough, or Town, Corporate or not Corporate; and the Order of such Justices or Recorder at Sessions shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, the Period for which the Order shall be enforced not exceeding Ten Days beyond the next General Sessions; and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and One other Justice, or by the Recorder, shall be transmitted to the Secretary-at-War within Three Days after the making thereof; and also in *England*, when the Day's March shall exceed Fifteen Miles, the Justice granting his Warrant may fix a further reasonable Compensation, not exceeding the usual Rate of Hire fixed by this Act; and when any additional Rates or Compensation shall be granted, the Justice shall insert in his own Hand in the Warrant the Amount thereof, and the Date of the Order of Sessions, if fixed by Sessions, and the Warrant shall be given to the Officer commanding as his Voucher; and the Officer or Non-commissioned Officer demanding Carriages by virtue of the Warrant of a Justice shall, in *England*, pay the proper Sums into the Hands of the Constables providing Carriages, who shall give Receipts for the same on unstamped Paper; and in *Ireland*, the Officers or Non-commissioned Officers as aforesaid shall pay the proper Sums to the

Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded, and all the said Payments in *Ireland* shall be made, if required, in the Presence of a Justice or Constable; and no Carriage shall be liable to carry more than Thirty Hundredweight in *England*, and in *Ireland* no Car shall be liable to carry more than Six Hundredweight, and no Dray more than Twelve Hundredweight; but the Owner of such Carriages in *Ireland* consenting to carry a greater Weight shall be paid at the same Rate for every Hundredweight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Threepence a Mile for each Car and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expense of the Owner of the Carriage, if the same can be done in a reasonable Time, without Hindrance to Her Majesty's Service; and the providing and paying for Carriages in *Scotland* shall be regulated by the Law in force at the Time of the Union with *England;* provided that a Cart with One or more Horses for which the Furnisher shall receive Ninepence a Mile shall be required to carry Fifteen Hundredweight at the least; and no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses and Oxen, or Weight of Loading of the aforesaid Carriages, which shall not on that account be stopped or detained; and whenever it shall be necessary to impress Carriages for the March of Soldiers from *Dublin*, at least Twenty-four Hours Notice of such March, and in case of Emergency as long Notice as the Case will admit, shall be given to the Lord Mayor of *Dublin*, who shall summon a proportional Number of Cars and Drays, at his Discretion, out of the licensed Cars and Drays and other Cars and Drays within the County of the said City, and they shall by Turns be employed on this Duty at the Prices and under the Regulations herein-before mentioned; and no Country Cars, Drays, or other Carriages coming to Markets in *Ireland* shall be detained or employed against the Will of the Owners in carrying the Baggage of the Army on any Pretence whatsoever.

Supply of Carriages in Cases of Emergency

LXXV. It shall be lawful for Her Majesty, or the Lord Lieutenant, or Chief Governors of *Ireland*, by Her or their Order, distinctly stating that a Case of Emergency doth exist, signified by the Secretary-at-War, or if in *Ireland* by the Chief Secretary or Under Secretary, or the First Clerk in the Military Department, to authorize any General or Field Officer commanding Her Majesty's Forces in any District or Place, or to the Chief Acting Agent for the Supply of Stores and Provisions, by Writing under his Hand

Hand reciting such Order of Her Majesty or Lord Lieutenant or Chief Governor aforesaid, to require all Justices within their several Jurisdictions in *England* and *Ireland* to issue their Warrants for the Provision, not only of Waggons, Wains, Carts, and Cars kept by or belonging to any Person and for any Use whatsoever, but also of Saddle Horses, Coaches, Postchaises, Chaises, and other Four-wheeled Carriages, kept for Hire, and also of Boats, Barges, and other Vessels used for the Transport of any Commodities whatsoever upon any Canal or navigable River, as shall be mentioned in the said Warrants, therein specifying the Place and Distance to which such Carriages or Vessels shall go; and on the Production of such Requisition, or a Copy thereof certified by the Commanding Officer, to such Justice, by any Officer of the Corps ordered to be conveyed, or by any Officer of the Commissariat or Ordnance Department, such Justice shall take all the same Proceedings in regard to such additional Supply so required on the said Emergency as he is by this Act required to take for the ordinary Provision of Carriages; and all Provisions whatsoever of this Act, as regards the procuring of the ordinary Supply of Carriages, and the Duties of Officers and Non-commissioned Officers, Justices, Constables, and Owners of Carriages, in that Behalf, shall be to all Intents and Purposes applicable for the providing and Payment, according to the Rates of Posting or of Hire usually paid for such other Description of Carriages or Vessels so required on Emergency, according to the Length of the Journey or Voyage in each Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls, which Duty or Tolls are hereby declared not to be demandable for such Carriages and Vessels while employed in such Service or returning therefrom; and it shall be lawful to convey thereon, not only the Baggage, Provisions, and Military Stores of such Regiment or Detachment, but also the Officers, Soldiers, Servants, Women, Children, and other Persons of and belonging to the same.

Justices empowered to reimburse Constables for Sums expended by them.

LXXVI. It shall be lawful for the Justices of the Peace assembled at their Quarter Sessions to direct the Treasurer to pay, without Fee, out of the public Stock of the County or Riding, or if such public Stock be insufficient then out of the Monies which the said Justices shall have Power to raise for that Purpose, in like Manner as for County Gaols and Bridges, such reasonable Sums as shall have been expended by the Constables within their respective Jurisdictions for Carriages and Vessels, over and above what was or ought to have been paid by the Officer requiring the same, regard being had to the Season of the Year and Condition of the Ways by which such Carriages and Vessels are to pass.

LXXVII. It

Routes in Ireland.

LXXVII. It shall be lawful for the Lord Lieutenant or other Chief Governor for the Time being of *Ireland* to depute, by Warrant under his Hand and Seal, some proper Person to sign Routes in Cases of Emergency, for the marching of any of Her Majesty's Forces in *Ireland*, in the Name of such Lord Lieutenant or Chief Governor.

Tolls.

LXXVIII. All Her Majesty's Officers and Soldiers, being in proper Staff or Regimental or Military Uniform, Dress or Undress, and their Horses, (but not when passing in any hired or private Vehicle,) and all Recruits, marching by Route, and all Prisoners under Military Escort, and all enrolled Pensioners in Uniform when called out for Training or in aid of the Civil Power, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when conveying Persons or Baggage going thereto or returning therefrom, shall be exempted from Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Act or Ordinance, Order or Direction of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls, in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein-before enacted.

Ferries.

LXXIX. When any Soldiers on Service have Occasion in their March by Route to pass regular Ferries in *Scotland*, the Officer commanding may at his Option pass over with his Soldiers as Passengers, and shall pay for himself and each Soldier One Half only of the ordinary Rate payable by single Persons, or may hire the Ferry Boat for himself and his Party, debarring others for that Time, and shall in all such Cases pay only Half the ordinary Rate for such Boat.

Marching Money on Discharge.

LXXX. Every Soldier entitled to his Discharge shall, if then serving abroad, be sent, if he shall so require it, to *Great Britain* or *Ireland* free of Expense, and shall be entitled to receive Marching Money from the Place of his being landed (or, if discharged at home, shall receive Marching Money from the Place of his Discharge,) to the Parish or Place in which he shall have been originally enlisted, or at which he shall at the Time of his Discharge decide

decide to take up his Residence, such Place not being at a greater Distance from the Place of his Discharge than the Place of his original Enlistment.

Notification to Parishes of good or bad Conduct of Soldiers.

LXXXI. The Churchwardens of every Parish in *England* and *Ireland*, and the Constables or other Officers of every Parish or Place in *Scotland*, on receiving a Notification from the Secretary-at-War of the Names of any Soldiers belonging to the said Parish who have, for meritorious Conduct in the Army, received Her Majesty's special Approbation, or who, in consequence of Misconduct, have been dismissed Her Majesty's Service with Disgrace, shall affix such Notification on the Outside of the Door of the Church or Chapel belonging to such Parish or Place on the *Sunday* next succeeding the Receipt of the said Notification.

Ordinary Course of Criminal Justice not to be interfered with.

Punishment of Officers obstructing Civil Justice.

LXXXII. Nothing in this Act shall be construed to extend to exempt any Officer or Soldier from being proceeded against by the ordinary Course of Law, when accused of Felony or of Misdemeanor other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money; and if any Commanding Officer shall neglect or refuse, on Application being made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Soldier under his Command, or shall wilfully obstruct, neglect, or refuse to assist the Officers of Justice in apprehending any Officer or Soldier under his Command, so accused as aforesaid, such Officer shall, upon Conviction thereof in any of Her Majesty's Superior Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be thereupon cashiered, and shall be thenceforth utterly disabled to have or hold any Civil or Military Office or Employment in the United Kingdom of *Great Britain* and *Ireland*, or in Her Majesty's Service; and a Certificate thereof containing the Substance and Effect of the Indictment only, omitting the formal Part, with the Copy of the Entry of the Judgment of the Court thereon, shall be transmitted to the Judge Advocate General in *London*.

Penalty for Disobedience by Agents.

LXXXIII. For enforcing a prompt Observance of the Rules and Orders for the due Appropriation of the Public Funds applicable to Army Services, and in order that a true and regular Account may be kept and rendered by the Agents for the several Corps, the said Agents are hereby required to observe such Orders as shall from Time to Time be given by Her Majesty under Her Sign Manual, or by the Secretary-at-War, or by Her Majesty's Chief Governor or Governors of *Ireland*, or by the Lord Treasurer or Commissioners of Her Majesty's Treasury; and if any Person, being or having been an Agent, shall refuse or neglect to comply with such

Orders in relation to his Duty as Agent, or shall unlawfully withhold or detain the Pay of any Officer or Soldier after the Space of One Month after the Receipt thereof, he shall for the First Offence forfeit the Sum of One hundred Pounds, and if still an Agent, for the Second Offence be discharged from his Employment as an Army Agent, and be utterly disabled to have or hold such Employment thereafter, or, if he shall have ceased to be an Army Agent, shall for the Second and every succeeding Offence forfeit the Sum of Two hundred Pounds.

Penalty on trafficking in Commissions.

LXXXIV. Every Person, not being an authorized Army Agent, who shall negotiate or act as Agent for and in relation to the Purchase, Sale, or Exchange of any Commission in Her Majesty's Forces, shall forfeit for every such Offence the Sum of One hundred Pounds; and every Person, whether authorized or not as an Army Agent, who shall receive any Money or Reward in respect of any such Purchase, Sale, or Exchange, or shall negotiate or receive, for any Purpose whatsoever, any Money or Consideration where no Price is allowed by Her Majesty's Regulations, or any Money or Consideration exceeding the Amount so allowed, shall forfeit One hundred Pounds, and Treble the Value of the Consideration where the Commission is not allowed to be sold, or Treble the Excess of such Consideration beyond the regular Price.

Penalty for procuring false Musters.

LXXXV. Every Person, not having any Military Commission, who shall give or procure to be given any untrue Certificate, whereby to excuse any Soldier for his Absence from any Muster or any other Service which he ought to attend or perform, or who shall directly or indirectly cause to be taken any Money or Gratuity for mustering any Soldiers, or for signing any Muster Rolls or Duplicates thereof, shall forfeit for every such Offence the Sum of Fifty Pounds; and any Person who shall falsely be mustered, or offer himself to be mustered, or lend or furnish any Horse to be falsely mustered, shall, upon Oath made by Two Witnesses before some Justice of the Peace residing near the Place where such Muster shall be made, forfeit the Sum of Twenty Pounds, and the Informer, if he belongs to Her Majesty's Service, shall, if he demand it, be forthwith discharged.

Penalty on unlawful recruiting.

LXXXVI. All the Persons (except such Recruiting Parties as may be stationed under Military Command) who shall cause to be advertised, posted, or dispersed Bills for the Purpose of procuring Recruits or Substitutes for the Line, Embodied Militia, or *East India* Company's Service, or shall open or keep any House, Place of Rendezvous, or Office, or receive any Person therein under such

such Bill or Advertisement, as connected with the Recruiting Service, or shall directly or indirectly interfere therewith, without Permission in Writing from the Adjutant General, or from the Directors of the *East India* Company, (as the Case may be,) shall forfeit for every such Offence a Sum not exceeding Twenty Pounds.

Penalty for inducing Soldiers to desert.

LXXXVII. Any Person who shall in any Part of Her Majesty's Dominions, by Words or by any other Means whatsoever, directly or indirectly procure any Soldier to desert, or shall by Words or by any other Means whatsoever attempt to procure or persuade any Soldier to desert, and any Person who, knowing that any Soldier is about to desert, shall aid or assist him in deserting, or, knowing any Soldier to be a Deserter, shall conceal such Deserter, or aid or assist such Deserter in concealing himself, shall be deemed guilty of a Misdemeanor, and shall, on Conviction thereof, be liable to be punished by Fine or Imprisonment, or both, as the Court before which such Conviction shall take place may adjudge.

Penalty for forcible Entry in pursuit of Deserters.

LXXXVIII. Any Officer or Soldier who shall forcibly enter into or break open any Dwelling House or Outhouse, or shall give any Order under which any Dwelling House or Outhouse shall be forcibly entered into or broken open, without a Warrant from One or more Justices of the Peace, shall, on Conviction thereof before Two Justices of the Peace, forfeit a Sum not exceeding Twenty Pounds.

Penalties on aiding Escape or Attempt to escape of Prisoners and on Breach of Prison Regulations.

LXXXIX. If any Person shall convey or cause to be conveyed into any Military Prison appointed to be a public Prison under this Act any Arms, Tools, or Instruments, or any Mask or other Disguise, to facilitate the Escape of any Prisoner, or shall by any Means whatever aid and assist any Prisoner to escape or in attempting to escape from such Prison, whether an Escape be actually made or not, such Person shall be deemed guilty of Felony, and upon being convicted thereof shall be transported beyond the Seas for any Term not exceeding Fourteen Years; and if any Person shall bring or attempt to bring into such Prison, in contravention of the existing Rules, any spirituous or fermented Liquor, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds and not less than Ten Pounds, or to Imprisonment, with or without Hard Labour, for any Time not exceeding Three Calendar Months; and if any Person shall bring into such Prison to or for any Prisoner, without the Knowledge of the Governor, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or other Articles not allowed by the Rules of the Prison to be in the Possession of a Prisoner, or shall throw into the said Prison any such Articles, or shall by Desire of any Prisoner, without

without the Sanction of the Governor, carry out of the Prison any of the Articles aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or to Imprisonment, either with or without Hard Labour, for any Time not exceeding One Calendar Month; and if any Person shall assault or violently resist any Officer of such Prison in the Execution of his Duty, or shall aid or excite any Person so to assault or resist any such Officer, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or to Imprisonment, either with or without Hard Labour, for any Time not exceeding One Calendar Month, or, if the Offender be a Soldier already under Sentence of Imprisonment, he shall be liable to be sentenced for every such Offence to be imprisoned, either with or without Hard Labour, upon Conviction thereof by a Board of not less than Three of the Visitors of the Prison, for any Time not exceeding Six Calendar Months, or upon Conviction thereof by a single Visitor for any Time not exceeding Seventy-two Hours, in addition to so much of the Time for which he was originally sentenced as may then be unexpired; or if such Soldier shall, within Forty-eight Hours of the Expiration of his Sentence, be guilty of any Offence against the Rules of the Prison, he may, on Conviction thereof by a single Visitor, be imprisoned, either with or without Hard Labour or Solitary Confinement, for a Period not exceeding Seventy-two Hours in addition to his original Sentences; and all the Provisions of any Act or Acts of Parliament for the Regulation or better ordering of Gaols, Houses of Correction, or Prisons in *England* and *Wales* shall be deemed to apply to all Military Prisons, so far as any Provision relates to such Offences; and it shall be lawful for the Governor, Provost Marshal, Officer, or Servant of any Military Prison to use and exercise all the Powers and Authorities given by any such Act to the Gaoler, Keeper, or Turnkey of any Prison, or to his or their Assistants, to apprehend, or to cause Offenders to be apprehended, in order to their being taken before a Justice or Justices of the Peace; and all the Powers and Authorities given by such Act to any Justice or Justices of the Peace to convict Offenders in any of the above Cases, together with the Forms of Convictions contained in any such Act, shall be applicable to the like Offences when committed in respect of Military Prisons; and all the Provisions contained in any such Act relating to Suits and Actions prosecuted against any Person for anything done in pursuance of such Act shall be deemed to apply to all Suits and Actions prosecuted against any Person acting in pursuance of such Act in respect of Military Prisons.

Certain Provisions of Gaol Acts to apply to Military Prisons.

Penalty on Keepers of Prisons for

XC. Any Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place

Place of Confinement, who shall refuse to receive and to confine, or to discharge or deliver over, any Military Offender in the Manner herein-before prescribed, shall forfeit for every such Offence the Sum of One hundred Pounds.

refusing to confine, &c. Military Offenders.

XCI. Any Person who shall knowingly detain, buy, exchange, or receive from any Soldier or Deserter or any other Person, on any Pretence whatsoever, or shall solicit or entice any Soldier, or shall be employed by any Soldier, knowing him to be such, to sell any Arms, Ammunition, Clothes, or Military Furniture, or any Provisions, or any Sheets or other Articles used in Barracks provided under Barrack Regulations, or Regimental Necessaries, or any Article of Forage provided for any Horses belonging to Her Majesty's Service, or who shall have in his or her Possession or Keeping any such Arms, Ammunition, Clothes, Furniture, Provisions, Spirits, Articles, Necessaries, or Forage as aforesaid, and shall not give a satisfactory Account how he or she came by the same, or shall change the Colour of any Clothes as aforesaid, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with Treble Value of all or any of the several Articles of which such Offender shall so become possessed; and if any Person having been so convicted shall afterwards be guilty of any such Offence, and shall be convicted thereof by One or more Justices of the Peace, every such Offender shall for every such Offence forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds, and the Treble Value of all or any of the several Articles of which such Offender shall have so become possessed, and shall in addition to such Forfeiture be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justice or Justices shall think fit; and upon any Information against any Person for a Second or any subsequent Offence a Copy of the Conviction, certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same proved to be a true Copy, shall be sufficient Evidence to prove a Conviction of the former Offence; and if any credible Person shall prove on Oath before a Justice of the Peace, or Person exercising like Authority according to the Laws of the Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession, or on his or her Premises, any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, the Justice may grant a Warrant to search for such Property, as in the Case of stolen Goods; and if upon Search any such Property shall be found, the same shall and may be seized by the-

Penalty on purchasing Soldiers Necessaries, Stores, &c.

the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before such Justice, to be dealt with according to Law: Provided always, that it shall be lawful for the Legislature of each or of any of Her Majesty's Colonies, on the Recommendation of the Officer for the Time being administering the Government of any such Colony, but not otherwise, to make Provision by Law for reducing such pecuniary Penalty, if not exceeding Twenty Pounds to such Amount as may to any such Legislature appear to be better adapted to the Ability and pecuniary Means of Her Majesty's Subjects and others inhabiting the same, which reduced Penalty shall be sued for and recovered in such and the same Manner as the full Penalty hereby imposed: Provided also, that it shall be competent to Her Majesty, or to the Person administering the Government of any such Colony on Her Majesty's Behalf, to exercise, in respect of the Laws so to be passed as aforesaid, all such Powers and Authorities as are by Law vested in Her Majesty or in any such Officer as aforesaid in respect of any other Law made or enacted by any such Colonial Legislature

Penalties upon Civil Subjects offending against the Laws relating to Billets and Carriages.

XCII. If any Constable or other Person who by virtue of this Act shall be employed in billeting any Officers or Soldiers in any Part of the United Kingdom shall presume to billet any such Officer or Soldier in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Soldier on Duty, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Troops; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving such Officer or Soldier; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officers or Soldiers, in any such Houses, against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person ordered by any Constable in manner herein-before directed to provide Carriages, Horses, or Vessels shall refuse or neglect to provide the same according to the Orders of such Constable, or shall do any Act or Thing by which the Execution of any Warrants for providing Carriages, Horses, or Vessels shall be hindered; or if any Constable shall neglect to deliver in to the Justices at Quarter Sessions Lists of Officers and Soldiers of the Foot Guards quartered according to the Provisions of this Act, or shall cause to be delivered defective Lists of the same; or if any Person liable by this Act to have any Officer

Officer or Soldier quartered upon him shall refuse to receive and to afford proper Accommodation or Diet in the House in which such Officer or Soldier is quartered, and to furnish the several Things directed to be furnished to Officers and Soldiers, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw, for each Horse, at the Rate established by this Act, and in such Quantities as shall be fixed by Her Majesty's Regulations, not exceeding Twelve Pounds of Hay and Six Pounds of Straw *per Diem* for each Horse; or if any Innkeeper or Victualler not having good and sufficient Stables shall refuse to pay over to the Person or Persons who may provide Stabling such Allowance by way of Compensation as shall be directed by any Justice of the Peace, or shall pay any Sum or Sums of Money to any Soldier on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Soldier is entitled, or if any Toll Collector shall demand and receive Toll from any of Her Majesty's Officers or Soldiers, they being in proper Staff or Regimental or Military Uniform, Dress or Undress, or for their Horses, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or from any enrolled Pensioners in Uniform, when called out for Training or in aid of the Civil Power, or for any Carriages or Horses belonging to Her Majesty, or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when conveying Persons or Baggage or returning therefrom, every such Constable, Victualler, Toll Keeper, or other Person respectively shall forfeit for every such Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalties upon the Military so offending.

XCIII. If any Military Officer shall take upon himself to quarter Soldiers otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Mayors, Constables, or other Civil Officers, tending to deter and discourage any of them from performing any Part of their Duty under this Act, or tending to induce any of them to do anything contrary to their said Duty, such Officer shall for every such Offence (being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses) be deemed and taken to be thereupon cashiered, and shall be utterly disabled to hold any Military Employment in Her Majesty's Service; provided that a Certificate thereof shall be transmitted by One of the said Justices to the Judge Advocate in *London*, who is hereby required to certify the same to the Commander-in-Chief and Secretary-at-War, and that the said Conviction be affirmed at some Quarter Sessions of the Peace of the said County held next after the Expiration of Three Months after such Certificate of the Justice shall have been transmitted as aforesaid;

said; and if any Military Officer shall take, or knowingly suffer to be taken, any Money or Reward of any Person for excusing the quartering of Officers or Soldiers, or shall billet any of the Wives, Children, Men or Maid Servants of any Officer or Soldier, in any House, against the Consent of the Occupier, he shall, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return home on the same Day if it be practicable, except in the Case of Emergency for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Soldier or Servant (except such as are sick) or any Woman to ride therein, except in Cases of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same can be done within reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any Carriage than is directed by this Act, such Officer shall forfeit for every Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty on killing Game.

XCIV. For the better Preservation of Game and Fish in or near such Places where any Officers shall at any Time be quartered, be it enacted, That every Officer who shall, without Leave in Writing from the Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish in the United Kingdom of *Great Britain* and *Ireland*, and upon Complaint thereof shall be, upon the Oath of One or more credible Witnesses, convicted before any Justice, shall for every such Offence forfeit the Sum of Five Pounds.

Form of Actions at Law.

XCV. Any Action which shall be brought against any Person for anything to be done in pursuance of this Act shall be brought within Six Months, and it shall be lawful for every such Person to plead thereunto the General Issue of Not Guilty, and to give all special Matter in Evidence to the Jury which shall try the Issue; and if the Verdict shall be for the Defendant in any such Action, or the Plaintiff therein become nonsuited, or suffer any Discontinuance thereof, or if in *Scotland* such Court shall see fit to assoilzie the Defendant or dismiss the Complaint, the Court in which the said Matter shall be tried shall allow unto the Defendant Treble Costs, for which the said Defendant shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to Defendants; and every Action against any Person for anything to be done in pursuance

pursuance of this Act, or against any Member or Minister of a Court-martial in respect of any Sentence of such Court, or of anything done by virtue or in pursuance of such Sentence, shall be brought in some of the Courts of Record at *Westminster* or in *Dublin*, or the Court of Session in *Scotland*, and in no other Court whatsoever.

Recovery of Penalties.

XCVI. All Offences for which any Penalties and Forfeitures are by this Act imposed, not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, shall and may be determined, and such Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, in every Part of the United Kingdom, by One or more Justice or Justices of the Peace, under the Provisions of an Act passed in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions, within* England *and* Wales, *with respect to summary Convictions and Orders;* provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned for any Time not exceeding Six Calendar Months; which said recited Act shall be used and applied in *Scotland* and in *Ireland*, for the Recovery of all such Penalties and Forfeitures, as fully to all Intents as if the said recited Act had extended to *Scotland* and *Ireland*, anything in the said recited Act, or in an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions in* Ireland, to the contrary notwithstanding; and all such Offences committed in the *British Isles*, or in any of Her Majesty's Dominions beyond the Seas, may be determined, and the Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, before any Justices of the Peace, or Persons exercising like Authority, according to the Laws of the Part of Her Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed exceeding Twenty Pounds shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British Isles*, or in any other Parts of Her Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of Her Majesty's Dominions.

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

Appropriation of Penalties.

XCVII. One Moiety of every Penalty, not including any Treble Value of any Articles adjudged or recovered under the Provisions of this Act, shall go to the Person who shall inform or

sue for the same, and the Remainder of the Penalty, together with the Treble Value of any Articles, or, where the Offence shall be proved by the Person who shall inform, the whole of the Penalty, shall be paid to the General Agent for the Recruiting Service in *London*, to be at the Disposal of the Secretary-at-War, anything in an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act or Acts, to the contrary notwithstanding; and every Justice who shall adjudge any Penalty under this Act shall, within Four Days at the farthest, report the same to the Secretary-at-War.

5 & 6 W. 4. c. 76.

Mode of recording a Soldier's Settlement.

XCVIII. Any Justice in the United Kingdom within whose Jurisdiction any Soldier in the Regular Army, or on the permanent Staff of the Militia, having a Wife or Child, shall be billeted, may summon such Soldier before him in the Place where he is billeted, (which Summons he is hereby directed to obey,) and take his Examination in Writing, upon Oath, touching the Place of his last legal Settlement in *England*, and such Justice shall give an attested Copy of such Examination to the Person examined, to be by him delivered to his Commanding Officer, to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such last legal Settlement before any Justice or at any General or Quarter Sessions, although such Soldier be dead or absent from the Kingdom; provided that in case any Soldier shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy thereof being produced by him or by any other Person on his Behalf, such Soldier shall not be obliged to take any other Oath with regard to his legal Settlement, but shall leave a Copy of such Examination, or a Copy of such attested Copy of Examination, if required.

Licences of Canteens.

XCIX. When any Person shall hold any Canteen under proper Authority of the Board of Ordnance, it shall be lawful for any Two Justices within their respective Jurisdictions to grant or transfer any Beer, Wine, or Spirit Licence to such Persons, without regard to Time of Year or to the Notices or Certificates required by any Act in respect of such Licences; and the Commissioners of Excise, or their proper Officers, within their respective Districts, shall also grant such Licences as aforesaid; and such Persons so holding Canteens, and having such Licences, may sell therein Victuals and Exciseable Liquors, as empowered by such Excise Licence, without being subject to any Penalty or Forfeiture.

C. All Muster Rolls and Pay Lists which are required to be verified by Declaration shall be so verified before and attested by any Justice without Fee or Reward to himself or to his Clerk. Attestation of Accounts

CI. All Commissaries upon making up their Accounts, and also upon returning from any Foreign Service, shall make the Declaration described in the Schedule to this Act annexed; which Declaration, if made in any Part of the United Kingdom, shall be made before some Justice, and if made on Foreign Service, before the Officer commanding in chief, or the Second in Command, or the Quartermaster or Deputy Quartermaster General or any Assistant Quartermaster General of the Army to which he shall be attached, who shall respectively have Power to administer and receive the same. Commissaries to attest their Accounts.

CII. All Oaths and Declarations which are authorized and required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace, or Magistrate acting as such; and any Person taking a false Oath or Declaration in any Case wherein an Oath or Declaration is required to be taken by this Act shall be deemed guilty of wilful and corrupt Perjury, or of making a false Declaration, and being thereof duly convicted shall be liable to such Pains and Penalties as by any Laws in force any Persons convicted of wilful and corrupt Perjury are subject and liable to. Administration of Oaths. Perjury.

CIII. All Crimes and Offences which have been committed against any former Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, or against any of the Articles of War made and established by virtue of the same, may, during the Continuance of this Act, be tried and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any former Act shall remain in full Force, and all Proceedings of Courts-martial convened and held under any such Warrant shall be continued notwithstanding the Expiration of such Act: Provided always, that no Person shall be liable to be tried or punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the Date of the Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased. Offences against former Mutiny Acts and Articles of War.

CIV. This

Duration of the Act.

CIV. This Act shall be and continue in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and fifty-three inclusive until the Twenty-fifth Day of *April* One thousand eight hundred and fifty-four; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and fifty-three inclusive until the First Day of *May* One thousand eight hundred and fifty-four; and shall be and continue in force within the Garrison of *Gibraltar*, the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and fifty-three inclusive until the First Day of *August* One thousand eight hundred and fifty-four; and shall be and continue in force in all other Parts of *Europe* where Her Majesty's Forces may be serving, and in the *West Indies* and *America*, from the First Day of *September* One thousand eight hundred and fifty-three inclusive to the First Day of *September* One thousand eight hundred and fifty-four; and shall be and continue in force within the *Cape of Good Hope*, the *Isle of France* or *Mauritius* and its Dependencies, *Saint Helena*, and the Settlements on the Western Coast of *Africa*, from the First Day of *January* One thousand eight hundred and fifty-four inclusive until the First Day of *January* One thousand eight hundred and fifty-five; and shall be and continue in force in all other Places from the First Day of *February* One thousand eight hundred and fifty-five inclusive until the First Day of *February* One thousand eight hundred and fifty-six: Provided always, that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of Her Majesty's Dominions beyond the Seas, become and be in full Force, anything herein stated to the contrary notwithstanding.

SCHEDULES referred to by the foregoing Act.

Form of Oaths to be taken by Members of Courts-martial.

YOU shall well and truly try and determine according to the Evidence in the Matter now before you. So help you GOD.

I do swear, That I will duly administer Justice, according to the Rules and Articles for the better Government of Her Majesty's Forces, and according to an Act now in force for the Punishment of Mutiny and Desertion, and other Crimes therein mentioned, without Partiality, Favour, or Affection, and if any Doubt shall arise which is not explained by the said Articles or Act, according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases: And I further swear, That I will not divulge the Sentence of the Court until it shall be duly approved; neither will I, upon any account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in due Course of Law. So help me GOD.

Form of Oath of a Judge Advocate.

I do swear, That I will not, upon any account whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law; and that I will not, unless it be necessary for the due Discharge of my official Duties, disclose the Sentence of the Court until it shall be duly approved. So help me GOD.

Notice to be given to a Recruit, or left at his Place of Abode or at the Place at which he stated that it was his Intention to sleep, agreeably to the Provisions of the Mutiny Act, within Forty-eight, but not sooner than Twenty-four, Hours after his Enlistment, the Hours of Sunday not being counted.

*Date*_____

you enlisted with

at o'Clock* on the Day of

for the Regiment and if you do not come

forward on or before o'Clock* on the

*A.M. or P.M., as the Case may be

for the Purpose of being taken before a Magistrate, either to be attested or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you have received as a Recruit, and by paying Twenty Shillings as Smart Money, you will be legally adjudged to be a Soldier without Attestation, and will be proceeded against as a Deserter.

Signature of the Officer or Non-commissioned Officer commanding the Party. _____

Name of the Recruit _____

Residing at _____

QUESTIONS to be put separately by the JUSTICE to a RECRUIT ON ENLISTING.

1. What is your Name ?
2. In what Parish, and in or near what Town, and in what County, were you born ?
3. What is your Age ?
4. What is your Trade or Calling ?
5. Are you an Apprentice ?
6. Are you married ?
7. Are you ruptured or lame ; have you ever been subject to Fits ; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour ?
8. Are you willing to be attested to serve in the Regiment of for the Term of [*this Blank to be filled up by the Justices with Ten Years for Infantry, and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards ; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years* (*as the Case may be*)], provided Her Majesty should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station ?
9. At what Place, on what Day, at what Hour of the Day, and by whom were you enlisted ?
10. For what Bounty did you enlist ?
11. Have you any Objection to make to the Manner of your Enlistment ?
12. Do you now belong to the Militia ?
13. Do you belong to any other Regiment, or to the Marines, Ordnance, or Navy, or to the Forces of the East India Company ?

14. Have

14. Have you ever served in the Army, Marines, Ordnance, or Navy, or in the Forces of the East India Company ?

15. Have you ever been rejected as unfit for Her Majesty's Service, or for the Service of the East India Company, upon any prior Enlistment ?

Note.—The Justice is directed in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

Enlisting for Service in Her Majesty's Colonies.

Question 8. is to be put by the Justice as follows:

8. Are you willing to be attested to serve in Her Majesty's Colony of for the Term of [*this Blank to be filled up by the Justices with Ten Years for Infantry, and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years (as the Case may be)*], provided Her Majesty should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station ?

Enlisting for either Her Majesty's or the East India Company's Service.

Question 8. is to be put by the Justice as follows:

8. Are you willing to be attested to serve in Her Majesty's Army, or in the Forces of the East India Company, according as Her Majesty shall think fit to order, for the Term of [*this Blank to be filled up by the Justices with Ten Years for Infantry, and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years (as the Case may be)*], provided your Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station ?

Enlisting for the East India Company's Service.

Question 8. to be put by the Justice as follows:

8. Are you willing to be attested to serve the East India Company* for the Term of [*this Blank to be filled up by the Justices with Ten Years for Infantry, and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person*

* The Blank to be filled up with the Words Infantry or Artillery, as the Case may be.

enlisted

enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years (as the Case may be)], provided the said Company should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?

OATH to be taken by a RECRUIT on ATTESTATION.

I do make Oath, That the above Questions have been separately put to me; that the Answers thereto have been read over to me; and that they are the same that I gave, and are true.

I do also make Oath, That I will be faithful and bear true Allegiance to Her Majesty, Her Heirs and Successors, and that I will, as in Duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors, in Person, Crown, and Dignity, against all Enemies, and will observe and obey all Orders of Her Majesty, Her Heirs and Successors, and of the Generals and Officers set over me.

So help me GOD.

Witness my Hand,

_____ *Signature of Recruit.*

_____ *Witness present.*

Sworn before me at this
Day of One thousand eight
hundred and
at o'Clock.

Signature of Justice _____

If enlisting for either Her Majesty's or the East India Company's Service, the following Addition is to be made to the foregoing Oath:

And that if Her Majesty, Her Heirs or Successors, shall please to appoint me to serve in the Forces of the East India Company, then I swear that I will also be true to the said Company, and will duly observe and obey all their Orders, and the Orders of their Generals and Officers who shall be lawfully set over me.

If enlisting for the East India Company's Service, the following is to be added to the Oath:

And that I also will be true to the said Company, and will duly observe and obey all their Orders, and the Orders of their Generals and Officers who shall be lawfully set over me.

CERTIFICATE

CERTIFICATE to be given by the JUSTICE.

to wit. } I One of Her Majesty's Justices of the Peace of do hereby certify, That in my Presence all the foregoing Questions were put to ; that the Answers written opposite to them are those which he gave to me; and that the Fortieth and Forty-sixth Articles of the Articles of War were read over to him; that he took the Oath of Allegiance and Fidelity; that he received the Sum of on being attested this Day; that he was not attested until Twenty-four Hours had elapsed after he received Enlisting Money; that the Place where he swears that he enlisted is in the Vicinity of my Residence, or within the Division or District or Place for which I act; that I am not an Officer of the Army, and that I have given him a Duplicate of this Certificate, signed with my Name.

Signature of Justice.

DECLARATION to be made by a SOLDIER renewing his Service.

I Number do declare, That I am at present (*or* was, *as the Case may be*) in Captain Company in the Regiment; that I enlisted on the Day of for a Term of Years; that I am of the Age of Years; and that I will serve Her Majesty, Her Heirs and Successors, [*or* in the Forces of the East India Company, *as the Case may be*,] for a further Term of Years [*to be filled up with Eleven Years in the Infantry, and Twelve in the Cavalry or Artillery or other Ordnance Corps, and, in the Case of a Soldier about to embark for Foreign Service, with such Number of Years as shall be required to complete a total Service of Twenty-one Years in the Infantry or Twenty-four in the Cavalry or Artillery or other Ordnance Corps*,] provided my Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

Declared before me _____

_____ *Signature of Soldier.*

_____ *Signature of Witness.*

FORM of OATH to be taken by a MASTER whose APPRENTICE has absconded.

I of do make Oath, That I am by Trade a and that was bound to serve as an Apprentice to me in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said did on or about the Day

of abscond and quit my Service without my Consent; and that to the best of my Knowledge and Belief the said is aged about Years. Witness my Hand at the Day of One thousand eight hundred and

Sworn before me at this Day of One thousand eight hundred and }

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an APPRENTICE.

to wit. } I One of Her Majesty's Justices of the Peace of certify, That of came before me at the Day of One thousand eight hundred and , and made Oath that he was by Trade a , and that was bound to serve as an Apprentice to him in the said Trade, by Indenture dated the Day of for the Term of Years, and that the said Apprentice did on or about the Day of abscond and quit the Service of the said without his Consent, and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

FORM of DECLARATION of ATTESTATION of a COMMISSARY'S ACCOUNTS.

I do solemnly and sincerely declare, That I have not applied any Monies or Stores or Supplies under my Care or Distribution to my own Use, or to the private Use of any other Person by way of Loan to such Person or otherwise, or in any Manner applied them, or knowingly permitted them to be applied, to any other than public Purposes, according to the Duty of my Office; and I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the Provisions of an Act passed in the Fifth and Sixth Years of the Reign of His Majesty King William the Fourth, Chapter 62, for the Abolition of unnecessary Oaths, and for substituting Declarations in lieu thereof.

Declared before me by the within-named this Day of }

Justice of the Peace of

or, *Commander in Chief, or Second in Command, et cætera, the Army serving in et cætera [as the Case may be].*

No.

DESCRIPTION RETURN of committed to Confinement at on the Day of as a Deserter from the Regiment of .

Age - - - - -	
Height - - - -	Feet. Inches.
Complexion - - - -	
Hair - - - - -	
Eyes - - - - -	
Marks - - - -	
Probable Date of Enlistment, and where	
Probable Date of Desertion, and from what Place - - - -	
* Name and Occupation and Address of the Person by whom apprehended	
* Particulars in the Evidence on which the Prisoner is committed, and showing whether he surrendered or was apprehended, and in what Manner, and upon what Grounds	

* It is important for the Public Service, and for the Interest of the Deserter, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstance herein stated, and has declared in my Presence that he † a Deserter from the above-mentioned Corps.

——————*Signature and Address of Magistrate.*
——————*Signature of Prisoner.*
——————*Signature of Informant.*

† Insert "is" or "is not," as the Case may be.

I certify, that I have inspected the Prisoner, and consider him ‡ for Military Service.

——————*Signature of Military Medical Officer, or of* ‖ *Private Medical Practitioner.*

‡ Insert "fit" or "unfit," as the Case may be; and if unfit, state the Cause of Unfitness.

‖ No Fee will be allowed to a Private Medical Practitioner where a Military Medical Officer is stationed, unless it is shown that his Services were not available.

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ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

***

of any other Crime in breach of good Order and Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow, or be guilty of Crimes and Offences to the Prejudice of good Order and Military Discipline: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Lord High Admiral, &c. may make Articles for the Punishment of Mutiny, Desertion, &c.

I. That it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, to make, ordain, and establish Rules and Articles of War, under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the better Government of Her Majesty's Royal Marine Forces, and for the Punishment of Mutiny, Desertion, Immorality, Breach of Discipline, Misbehaviour, Neglect of Duty, and any other Offence or Misconduct of which they shall be guilty, in any Place on shore or afloat in or out of Her Majesty's Dominions, or at any Time when or under any Circumstances in which they shall not be amenable to the Laws for the Government of Her Majesty's Ships, Vessels, and Forces by Sea, which Rules and Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever; and Copies of the same shall, as soon as conveniently may be after the same shall have been made, be transmitted by the Secretary of the Admiralty for the Time being (certified under his Hand) to the Judges of Her Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of Her Majesty's Dominions abroad; provided that no Person within the United Kingdom of *Great Britain* and *Ireland* or the *British Isles* shall by such Articles be subject to be transported as a Felon or to suffer any Punishment extending to Life or Limb, except for Crimes which are by this Act expressly made liable to such Transportation or to such Punishment as aforesaid, or shall be subject, with reference to any Crimes made punishable by this Act, to be punished in any Manner which shall not accord with the Provisions of this Act.

Offences against former Mutiny Acts and Articles of War.

II. All Crimes and Offences committed against any former Act made for the Regulation of the Royal Marine Forces while on shore, or against any of the Rules, Regulations, or Articles of War made and established by virtue of the same, may during the Continuance of this Act be tried, inquired of, and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any former Act shall remain in full Force notwithstanding the Expiration of such Act; and all Proceedings

ings of any Court-martial upon any Trial begun under the Authority of such former Act shall not be discontinued by the Expiration of the same: Provided always, that no Person shall be liable to be tried and punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the Date of the Commission or Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased; and provided also, that if any Officer or Marine in any Place beyond the Seas shall commit any of the Offences punishable by Court-martial under this Act, and shall escape and come or be brought into this Realm before he be tried for the same, he shall, when apprehended, be tried for the same as if such Offence had been committed within this Realm.

Limitation as to Time.

III. This Act shall extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions therein for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and to the Provisions for Trial and Punishment of Officers and Marines who shall be charged with Mutiny and Desertion or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall fraudulently confess themselves to be Deserters, or who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Clothes, Military Furniture, or Regimental Necessaries from any Marine or Deserter, or who shall cause the Colour of any such Clothes to be changed; and also to the Provisions for exempting Marines from being taken out of Her Majesty's Service for not supporting or for leaving chargeable to any Parish any Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer, or on account of any Debts under Thirty Pounds in the said Islands.

Act to extend to Jersey, &c.

IV. Nothing in this Act shall be construed to extend to exempt any Officer or Marine from being proceeded against by the ordinary Course of Law when accused of Felony, or when accused of any Misdemeanor other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money; and any Commanding Officer who shall neglect or refuse, when due Application shall be made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Marine, or who

The ordinary Course of Law not to be interfered with.

who shall wilfully obstruct, neglect, or refuse to assist any Peace Officer in apprehending any such Offender, shall, upon Conviction thereof in any of Her Majesty's Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be thereupon cashiered, and shall be utterly disabled to hold any Civil or Military Office or Employment in Her Majesty's Service; and a Certificate of such Conviction shall be transmitted to the Secretary of the Admiralty.

No Person tried by Civil Power to be punished by Court-martial for same Offence except by cashiering.

V. No Person who shall have been tried before any of the ordinary Courts of Law for any Crime cognizable in such Courts shall be liable to be punished for the same by any Court-martial otherwise than by cashiering; and whenever any Officer or Marine shall have been tried before a Court of ordinary Criminal Jurisdiction, the Clerk of the Court or other Officer having the Custody of the Records of such Court, or the Deputy of such Clerk, shall, if required by the Officer commanding the Division to which such Officer or Marine belongs, transmit to him a Certificate containing the Substance and Effect only, omitting the formal Part, of the Indictment, Conviction, and Entry of Judgment thereon or Acquittal of such Officer or Marine, and shall be allowed for such Certificate a Fee of Three Shillings.

Marines to be subject to the Discipline of the Navy while on board Ship.

VI. All of Her Majesty's Royal Marine Forces shall, during the Time they shall be respectively borne on the Books of any of Her Majesty's Ships or Vessels in Commission, either as Part of the Complement or as Supernumeraries, or otherwise, be subject and liable in every respect to the Laws for the Government of Her Majesty's Forces by Sea, and to the Rules and Discipline of the Royal Navy, and shall and may be proceeded against and punished for Offences committed by them whilst so borne, in the same Manner as the Officers and Seamen employed in the Royal Navy may be tried or punished; except when and so long as any Marine Officers or Marines shall be landed from any of Her Majesty's Ships, and be employed in Military Operations on shore, and when on such Occasions the senior Naval Officer present shall deem it expedient to issue an Order declaring that such Marine Officers and Marines shall during such Employment on shore be subject to the Regulations of this Act, in which Cases, and while such Order shall remain in force, they shall be subject to such Regulations, and be tried and punished under this Act accordingly, for any Offences to be committed by them while so on shore: Provided always, that if any Marine Officer or Marine so borne on the Books of any of Her Majesty's Ships or otherwise shall commit any Offence for which he shall not be amenable to a Naval Court-martial, he may be tried and punished for the same in the same Manner as other Marines

may

may be tried and punished for the like Offences under the Authority of this Act.

VII. It shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, from Time to Time to grant Commissions or Warrants under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the holding of General and other Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, and elsewhere out of the same, in like Manner as has been heretofore used, and for bringing Offenders against this Act and the Articles of War to Justice, and to erect and constitute Courts-martial, as well within the said United Kingdom and the *British Isles* as in any of Her Majesty's Garrisons or Dominions or elsewhere beyond the Seas, and to grant Commissions or Warrants to the Officer or Officers commanding in chief or commanding for the Time being any of Her Majesty's Royal Marine Forces, as well within the said United Kingdom as Her Majesty's other Dominions, and in any Foreign Parts out of the same Dominions, for convening, as well as for authorizing any Officer to convene, Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Royal Marine Forces, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command, the Officer so authorized not being however below the Degree of a Field Officer, except in the Settlements on the Western Coast of *Africa*, where a Captain may be authorized to convene District or Garrison Courts-martial; and any Person subject to this Act who shall, in any of Her Majesty's Dominions or elsewhere, commit any of the Offences for which he may be liable to be tried by Court-martial by virtue of this Act or of the Articles of War, may be tried and punished for the same in any Part of Her Majesty's Dominions, or other Place where he may have come or be after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

Lord High Admiral, &c. may grant Commissions for holding General Courts-martial, &c.

VIII. A General Court-martial convened in *Saint Helena*, the Settlements on the Western Coast of *Africa*, *Honduras*, *New Zealand*, the *Australian* Colonies, *Hong Kong*, *Prince of Wales Island*, *Singapore*, and *Malacca*, and the Settlements on the Coast of *China*, shall consist of not less than Five Commissioned Officers; if convened in *Jamaica*, the *Windward* and *Leeward Islands*, *British Guiana*, *Newfoundland*, *Bermuda*, the *Bahamas*, the *Cape of Good Hope* or other Settlements in *Southern Africa*, or in any Part out of the Queen's Dominions, excepting the *Ionian Islands* and the Parts before mentioned, it shall consist of not less than Seven, and if convened in any other

General Courts-martial.

Part of the Queen's Dominions, or in the *Ionian Islands*, or in the Settlements of the *East India* Company, it shall consist of not less than Thirteen Commissioned Officers; and shall have Power to sentence any Officer or Soldier to suffer Death, Transportation, or any other Punishment which shall accord with the Provisions of this Act.

District or Garrison Courts-martial.

IX. A District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, the *Bahamas*, the *Cape of Good Hope* or other Settlements in *Southern Africa*, *Saint Helena*, *Jamaica*, *Honduras*, *Newfoundland*, *New Zealand*, the *Australian* Colonies, the *Windward* and *Leeward Islands*, *British Guiana*, *Hong Kong*, and the Settlements on the Coast of *China*, where it may consist of not less than Five Commissioned Officers, and in the Settlements on the Western Coast of *Africa*, where it may consist of not less than Three Commissioned Officers; and such Court-martial shall have the same Power as a General Court-martial to sentence any Marine to such Punishments as shall accord with the Provisions of this Act; provided that the Sentence of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in Command of the District, Garrison, Island, or Colony, and that such Court-martial shall not have Power to try a Commissioned Officer, nor to pass any Sentence of Death or Transportation.

Divisional and Detachment Courts-martial.

X. A Divisional or Detachment Court-martial shall consist of not less than Five Officers, unless it be found to be impracticable to assemble that Number, when Three shall be sufficient, and shall have Power to sentence any Marine to Corporal Punishment, or to Imprisonment, and Forfeiture of Pay, in such Manner as shall accord with the Provisions of this Act.

Courts-martial on Line of March or in Transport Ships, &c.

XI. In Cases of Mutiny and gross Insubordination or of other Offences committed on the Line of March, or on board any Transport Ship, Convict Ship, or Merchant Vessel, the Offender may be tried by a Divisional or Detachment Court-martial, and the Sentence confirmed and carried into execution on the Spot by the Officer in immediate Command, provided that the Sentence shall not exceed that which a Divisional Court-martial is competent to award.

Courts-martial in Special Cases out of the Queen's Dominions.

XII. It shall be lawful for any Officer commanding any Detachment or Portion of Her Majesty's Royal Marine Forces which may at any Time be serving out of Her Majesty's Dominions, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or Resident in any such Countries by any Person under the immediate Command of

of any such Officer, to summon and cause to be assembled a Detachment General Court-martial, which shall consist of not less than Three Officers, for the Trial of any such Person, notwithstanding such Officer shall not have received any Warrant empowering him to assemble Courts-martial; and every such Court-martial shall have the same Powers in regard to summoning and examining Witnesses, Trial of and Sentence upon Offenders, as are granted by this Act to General Courts-martial: Provided always, that no Sentence of any such Detachment Court-martial shall be executed until the Officer commanding the Army to which the Division, Brigade, Detachment, or Party to which any Person so tried shall belong shall have approved and confirmed the same.

Officers of the Marine and Land Forces may sit in conjunction on Courts-martial.

XIII. When necessary or expedient, Officers of Her Majesty's Land Forces and of the Royal Marines may sit in conjunction on Courts-martial, whether the commanding Officer by whose Order such Court-martial is assembled belongs to the Land or Marine Forces; and when the Person to be tried shall belong to the Royal Marines, then the Proceedings of such Court-martial shall be regulated according to the Provisions of this Act; but where the Person to be tried shall belong to Her Majesty's Land Forces, then the Provisions of the Act passed in the present Session of Parliament for the Punishment of Mutiny and Desertion, and for the better Payment of the Army and their Quarters, and the Oaths therein prescribed, shall be applicable.

If no Superior Officer of Land Forces is present in Command of a District, &c. an Officer of Marines may convene a Court-martial.

XIV. Provided there be no Superior Officer of Her Majesty's Land Forces present in Command of a District, Garrison, Station, or Place where Marines may be serving, it shall be lawful for any Officer of the Royal Marine Corps, of the Degree of a Field Officer, and holding a Commission from the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, for that Purpose, but not otherwise, to convene or assemble a District or Garrison Court-martial, to be composed as afore stated, and for such Court to proceed to try any Marine or Marines below the Rank of Commissioned Officer for any of the Offences cognizable by a District or Garrison Court-martial; but the Sentence so awarded by any such Court shall not be carried into effect until the Senior Officer of the Royal Marines in the District, Garrison, Station, or Place, not being a Member of the Court, shall have confirmed the same: Provided always, that if there be any such Superior Officer of Her Majesty's Land Forces present in Command of the District, Garrison, Station, or Place where Marines may be, in such Case it shall be lawful for him to convene or assemble such District or Garrison Court-martial for the Trial of any Marine or Marines below the

the Rank of a Commissioned Officer, and for such Court-martial to try any such Marine or Marines in conformity with the Provisions of this Act and the Articles of War to be made in pursuance hereof; but the Sentence which may be awarded by any such Court which may be convened or assembled by any such Superior Officer shall not be carried into effect until such Superior Officer shall have confirmed the same.

President of Court-martial.

XV. The President of every Court-martial shall be appointed by the Authority convening such Courts, and shall in no Case be the Officer commanding in chief, or Governor of the Garrison where the Offender shall be tried, nor the Commanding Officer of the Division to which the Prisoner belongs, nor, in the Case of a General Court-martial, under the Degree of a Field Officer, unless where a Field Officer cannot be had, nor in any Case whatsoever under the Degree of a Captain, save in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions, or of a Divisional or Detachment Court-martial holden on the Line of March, or on board a Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship not in Commission, or on any Foreign Station where a Captain cannot be had.

Proceedings at Trial.

XVI. In all Trials by Court-martial, as soon as the President and other Officers appointed to serve thereon shall be assembled, their Names shall be read over in the Hearing of the Prisoner, who shall thereupon be asked if he objects to being tried by the President or by any of such Officers, and if the Prisoner shall then object to the President such Objection shall be referred to the Decision of the Authority by whom such President shall have been appointed, but if he object to any Officer other than the President such Objection shall be decided by the President and the other Officers so aforesaid appointed to form the Court; and when the Place of the President or other Officer in respect of whom any Challenge shall have been made and allowed shall be supplied by some Officer in respect of whom no Challenge shall be made or allowed, or if no Challenge whatever shall have been made, or, if made, not allowed, the President and the other Officers composing a General Court-martial shall take the Oaths in the Schedule to this Act annexed before the Judge Advocate or his Deputy, or Person officiating as Judge Advocate, and on Trials by other Courts-martial, before the President of such Court, who are hereby respectively authorized to administer the same, and any sworn Member may administer the Oath to the President; and as soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the

the Oath in the Schedule to this Act annexed; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon.

Swearing and summoning Witnesses.

XVII. All General and other Courts-martial shall have Power and Authority and are hereby required to administer an Oath to every Witness or other Person who shall be examined before such Court in any Matter relating to any Proceeding before the same; and every Person, as well Civil as Military, who may be required to give or produce Evidence before a Court-martial, shall, in the Case of General Courts-martial, be summoned by the Judge Advocate, or the Person officiating as such, and in the Case of all other Courts-martial by the President of the Court; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of *Westminster* or *Dublin*, or of the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies*, or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge by any Affidavit in a summary Way that such Witness was arrested in going to, attending upon, or returning from or attending upon such Court-martial; and all Witnesses so duly summoned as aforesaid who shall not attend on such Courts, or attending shall refuse to be sworn, or not produce the Documents being under their Power or Control required to be produced by them, or, being sworn, shall refuse to give Evidence or to answer all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in *London* or *Dublin*, or in the Court of Session, or Sheriff Depute or Stewarts Depute or their respective Substitutes within their several Shires and Stewartries, in *Scotland*, or in the Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere, respectively, upon Complaint made, in like Manner as if such Witness had, after being duly summoned or subpœnaed, neglected to attend on a Trial in any Proceeding in the Court in which such Complaint shall be made.

Previous Convictions to be put in Evidence.

XVIII. After a Prisoner has been found guilty of any Charge or Charges the Court before which any such Prisoner shall have been

been tried may, before passing Sentence on such Prisoner, and for the Purpose only of affixing Punishment, receive in Evidence against him any previous Convictions by Courts-martial; and in like Manner and for the like Purpose the Court shall receive in Evidence any previous Conviction of such Prisoner by a Court of ordinary Criminal Jurisdiction, where the Offence charged in the Indictment was of a felonious, fraudulent, or unnatural Nature; and in the Case of Convictions by Courts-martial, duly confirmed, when the Court-martial Book cannot conveniently be produced, a Certificate, which shall purport to contain a Copy of the Entry of such Convictions in the Court-martial Book, or in the Divisional or Company's Defaulters Book, and which shall be signed by the Adjutant, or other Officer having the Custody of the Court-martial Book or of the Defaulters Book of the Division or Company to which the Prisoner belongs, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction, any Certificate transmitted as herein provided to the Officer commanding by the Clerk of any such Court or other Officer having Custody of the Records of such Courts, or the Deputy of such Clerk, containing the Substance and Effect of any Indictment, omitting the formal Part, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received it shall be proved to the Satisfaction of the Court that the said Prisoner had previously to his Trial received Notice of the Intention to produce such Evidence against him; and provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall have been so found guilty.

Report of Proceedings of Courts-martial.

XIX. Every Judge Advocate, or Person officiating as such, at a General Court-martial, and the President of every District or Garrison Court-martial, are required to transmit, with as much Expedition

Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence thereof to the Secretary of the Admiralty for the Time being; and any Person tried by a General Court-martial, or any Person on his Behalf, shall be entitled, on Demand, to a Copy of such Sentence and Proceedings (paying reasonably for the same), whether such Sentence shall be approved or not, at any Time not sooner than Six Months if the Trial took place at *Gibraltar* or in the *Mediterranean*, Three Months if at any other Station within *Europe*, and Twelve Months if elsewhere in Her Majesty's Dominions; provided that such Demand as aforesaid shall have been made within the Space of Three Years from the Date of the Approval or other final Decision upon the Proceedings before such General Court-martial.

No Second Trial, but Revision allowed.

XX. No Officer or Soldier being acquitted or convicted of any Offence shall be liable to be tried a Second Time by the same or any other Court-martial for the same Offence; and that no Finding, Opinion, or Sentence given by any Court-martial, and signed by the President thereof, shall be revised more than once, nor shall any additional Evidence be received by the Court on any Revision.

Crimes punishable with Death.

XXI. If any Person who is or shall be commissioned or in Pay as an Officer of Royal Marines, or who is or shall be listed or in Pay as a Non-commissioned Officer, Drummer, or Private Man in Her Majesty's Royal Marine Forces, shall at any Time during the Continuance of this Act, while on shore in any Place within the said Kingdom, or in any other of Her Majesty's Dominions, or in any Foreign Parts out of such Dominions, or on board any Transport Ship, or Merchant Ship or Vessel, or any Ship or Vessel of Her Majesty, or on board any Convict Hulk or Ship, or any other Ship or Vessel, or in any Place whatever, where or while being in any Circumstances in which he shall not be subject to, or not be liable to or punishable by, the Laws relating to the Government of Her Majesty's Forces by Sea, begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Marine or other Forces, or shall not use his utmost Endeavours to suppress any such Mutiny or Sedition, or coming to the Knowledge of any Mutiny or intended Mutiny shall not without Delay give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall have been commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer

or

or any other to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before being regularly relieved, or shall be found sleeping on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel, Pirate, or Enemy of Her Majesty, either by Letters, Messages, Signs, Tokens, or any other Ways or Means whatever; or shall treat or enter into any Terms with any such Rebel, Pirate, or Enemy, without the Licence of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being; or shall strike or use or offer any Violence against his Superior Officer being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other Officer being in the Execution of his Office, or shall violate any Law or Regulation of or relating to any Military Prison; or shall desert Her Majesty's Service; every Person so offending in any of the Matters before mentioned shall suffer Death or such other Punishment as by a Court-martial shall be awarded.

Judgment of Death.

XXII. No Judgment of Death by Court-martial shall pass unless Two Thirds at least of the Officers present, being Members of the Court, shall concur therein.

Commutation of Death for Transportation.

XXIII. Whensoever any General Court-martial by which any Marine shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may adjudge the Offender, according to the Degree of the Offence, to be transported as a Felon for Life or for a certain Term of Years, or may sentence him to general Service as a Marine or as a Soldier in any Corps and in any Country or Place which Her Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Marine or as a Soldier in any Corps which Her Majesty shall please to direct: Provided always, that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial or by a Detachment General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, instead of causing such Sentence to be carried into execution, to order the Offender to be transported as a Felon, either for Life or for a certain Term of Years, or to suffer such Term of Imprisonment, either with or without Hard Labour, as shall seem meet to Her Majesty, or, if in the *East Indies*, to the Officer commanding as aforesaid.

XXIV. Every

XXIV. Every Officer and other Person employed in any Manner in the Care or Distribution of any Money, Provisions, Forage, or Stores belonging to Her Majesty's Royal Marine Forces or for their Use, who shall embezzle or fraudulently misapply, wilfully damage, steal, or be concerned in or connive at the Embezzlement, fraudulent Misapplication, wilful Damage, or Theft of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Military or Royal Marine Stores, may be tried for the same by a General Court-martial, which may adjudge any such Offender to be transported as a Felon for Life or for any certain Term of Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, and Incapacity of serving Her Majesty in any Office, Civil or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expense the Loss and Damage sustained, which shall have been ascertained by such Court-martial; and in every such Case the Court is required to ascertain by Evidence the Amount of the Loss or Damage incurred, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies where the Person sentenced by such Court-martial shall be resident after the said Judgment shall be confirmed and made known; and every Commissioned Officer sentenced to be transported as a Felon, when such Sentence shall be duly confirmed, shall thereupon cease to belong to Her Majesty's Service, and for ever be incapable of serving Her Majesty in any Military Capacity.

Embezzlement punishable by Transportation.

XXV. Whenever Her Majesty shall intend that any Sentence of Transportation heretofore or hereafter to be passed upon any Offender by any Court-martial shall be carried into execution for the Term specified in such Sentence, or for any shorter Term, or shall be graciously pleased to commute, as herein provided, any Sentence of Death which shall have been passed by any such Court, such Sentence, together with Her Majesty's Pleasure upon the same, shall be notified in Writing by the Lord High Admiral, or by any Two or more of the Commissioners for executing the said Office of Lord High Admiral, for the Time being, to any Justice of the Queen's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Transportation of such Offender upon the Terms and for the Time which shall be specified in such Notification, and shall also do all such other Acts consequent upon such Notification as

Transportation of Offenders.

 any

any such Justice or Baron is authorized to make or do by any Statute or Statutes in force at the Time of making any such Orders in relation to the Transportation of Offenders; and such Order, and other Acts to be so made and done as aforesaid, shall be obeyed and executed by such Person in whose Custody such Offender shall at that Time be, and by all other Persons whom it may concern, and shall be as effectual, and have all the same Consequences, as any Order made under the Authority of any Statute with respect to any Offender in such Statute mentioned; and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience or interrupting the Execution of such Order, as they would be if the same had been made under the Authority of any such Act of Parliament; and every Person so ordered to be transported as aforesaid shall be subject respectively to all and every the Penalties and Provisions made by Law and in force concerning Persons convicted of any Crime and sentenced to be transported, or receiving Her Majesty's Pardon on Condition of Transportation; and from the Time when such Order of Transportation shall be made every Law and Statute in force touching the Escape of Felons, or their afterwards returning or their being at large without Leave, shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape, or the returning without Leave, of any such Offender; and the Judge who shall make any Order of Transportation as aforesaid shall direct the Notification of Her Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or Her Majesty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, the Sentence, and the Conditions on which the Order of Transportation was given; which Certificate shall be sufficient Proof of the Conviction and of the Sentence of such Offender, and also of the Terms in which such Order for his Transportation was given, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

In the Colonies.

XXVI. Whenever any Sentence of Transportation heretofore or hereafter passed upon any Offender by any Court-martial holden in the *East Indies*, or in any Part of Her Majesty's Foreign Dominions,

minions, is to be carried into execution for the Term specified in such Sentence, or for any shorter Term, or when Sentence of Death has been or shall as aforesaid be commuted to Transportation, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or Chief Justice or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Transportation or intermediate Custody of such Offender in like Manner as for the Transportation or intermediate Custody of any other Convict; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in the *East Indies*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who on Receipt of such Notification shall cause such Offender to be removed to some Colony or Place in obedience to the Directions for the Removal of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender on being so removed shall undergo the Sentence of Transportation which has been passed upon him in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be there imprisoned and kept to Hard Labour, and otherwise dealt with under such Sentence, in the same Manner as if he had been sentenced to be imprisoned with Hard Labour during the Term of his Transportation by the Judgment of a Court of competent Jurisdiction in the Colony or Place to which he has been so removed or sent: Provided always, that in any Case where a Sentence of Transportation shall have been awarded by a General Court-martial or Detachment General Court-martial, it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned for a Term not exceeding Two Years, either with or without Hard Labour and Solitary Confinement not exceeding the Period herein-after prescribed.

Disposal of Convict after Sentence of Transportation.

XXVII. When any Sentence of Death shall be commuted for Transportation, or when any Marine shall by Court-martial be adjudged to be transported as authorized by this Act, it shall be lawful for the Commanding Officer of the Division to which such Marine shall have belonged to cause him to be detained and conveyed to any Gaol or Prison, there to remain in safe Custody until he shall be removed therefrom by due Authority under an Order for his Transportation to be made by some Justice of the Queen's

Queen's Bench or Common Pleas or Baron of the Exchequer as aforesaid; and that a Certificate of his Sentence, after the same shall have been approved by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, (such Certificate to be signed by the Commanding Officer of the Division from which he shall be sent,) shall be a sufficient Order, Requisition, and Authority to the Governor, Keeper, or Superintendent of the Gaol or Prison to receive and detain him: Provided always, that in case of any such Offender being so conveyed to Gaol or Prison the usual Allowance of Sixpence *per Diem* shall be made to the Keeper of the Gaol or Prison or f the Subsistence of such Offender during his Detention therein, which Allowance shall be paid by the Paymaster of the Division, upon Production to him, by the said Governor, Keeper, or Superintendent, of a Declaration, to be made by him before One of Her Majesty's Justices of the Peace of such County, of the Number of Days during which the Offender shall have been so detained and subsisted in such Gaol or Prison.

Power to inflict Corporal Punishment.

XXVIII. Any Court-martial may sentence any Marine to Corporal Punishment, not extending to Life or Limb, for disgraceful Conduct as herein-after mentioned, Misbehaviour, or Neglect of Duty, provided that no such Sentence of Corporal Punishment exceed Fifty Lashes.

Power to inflict Corporal Punishment and Imprisonment.

XXIX. It shall be lawful for any General, District, or Garrison Court-martial to award Imprisonment, with or without Hard Labour, and with or without Solitary Confinement; and in case of a Marine in addition to Corporal Punishment.

Power to commute Corporal Punishment.

XXX. In all Cases in which Corporal Punishment shall form the whole or any Part of the Sentence awarded by any Court-martial, it shall be lawful for the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or for the Officer authorized to confirm the Sentences of Courts-martial, to commute such Corporal Punishment to Imprisonment, either solitary or with or without Hard Labour, for any Period not exceeding Forty-two Days, or to mitigate such Sentence, to award Imprisonment, either solitary or with or without Hard Labour, for any Period not exceeding Twenty Days, and Corporal Punishment, to be inflicted in the Prison, not exceeding Twenty-five Lashes; provided that such Commutation of Punishment to Solitary Confinement shall in no Case exceed the Period herein-after prescribed.

Forfeiture of Pay and Pension by

XXXI. Any General Court-martial may, in addition to any other Punishment which it may be competent to award, sentence any Offender

Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service, or might accrue from future Service, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Sentence which such Court may award, sentence any Offender to such Forfeiture for Desertion, or for disgraceful Conduct, Sentence of Court-martial.

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods the Property of a Comrade, of a Marine Officer, or of any Marine Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of, or with Intent to injure, any Person, Civil, Marine, or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

XXXII. Every Marine who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, with Intent thereby to render himself or such other Marine unfit for Service, of tampering with his Eyes with Intent thereby to render himself unfit for Service, such Finding having been confirmed, or of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed therein, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of Forfeiture of Pay on Conviction of Desertion or Felony.

of his former Service, in addition to any Punishment which such Court may award.

Forfeiture of Pay when in Confinement;

XXXIII. If any Non-commissioned Officer or Marine, by reason of his Imprisonment, whether under Sentence of a Court-martial or of any other Court duly authorized to pass such Sentence, or by reason of his Confinement for Debt, or by reason of his Desertion, or, being an Apprentice, by reason of his being allowed to serve out his Time with his Master, shall have been absent from his Duty during any Portion of the Time limited by his Enlistment or Re-engagement, or Prolongation of Service, as herein-after provided, such Portion of his Time shall not be reckoned as a Part of the limited Service for which such Non-commissioned Officer or Marine was enlisted or re-engaged, or for which his Time of Service may have been prolonged; and no Marine shall be entitled to Pay, or to reckon Service towards Pay or Pension, when in Confinement under a Sentence of any Court, or during any Absence from Duty by Commitment or Confinement under any Charge of which he shall be afterwards convicted, either by Court-martial or by any Court of ordinary Criminal Jurisdiction, or whilst in arrest for Debt; and when any Marine shall be absent as a Prisoner of War he shall not be entitled to Pay, or to reckon Service towards Pay or Pension, for the Period of such Absence, but upon rejoining Her Majesty's Service due Inquiry shall be made by a Court-martial, and unless it shall be proved to the Satisfaction of such Court that the said Marine was taken Prisoner through wilful Neglect of Duty on his Part, or that he had served with or under, or in some Manner aided, the Enemy, or that he had not returned as soon as possible to Her Majesty's Service, he may thereupon be recommended by such Court to receive either the whole of such Arrears of Pay, or a Proportion thereof, and to reckon Service during his Absence; and any Marine who shall be convicted of Desertion, or of Absence without Leave, shall, in addition to any Punishment awarded by the Court, forfeit his Pay for the Day or Days during which he was in a State of Desertion, or during his Absence without Leave; and if any Marine shall absent himself without Leave for any Period not exceeding Five Days, and shall not account for the same to the Satisfaction of the Commanding Officer, or if any Marine shall be guilty of any other Offence which the Commanding Officer may not think necessary to bring before a Court-martial, the Commanding Officer may, in addition to any minor Punishment he is authorized to award, order that such Marine shall be imprisoned for any Period not exceeding One hundred and sixty-eight Hours, with or without Hard Labour, or with or without Solitary Confinement, as the said Commanding Officer may think fit, and such Marine shall forfeit his Pay for any Day or Days on which he may be

or during Absence on Commitment under a Charge, or in arrest for Debt;

or when Prisoner of War;

or when convicted of Desertion or Absence without Leave;

or when absent without Leave not exceeding Five Days.

be so imprisoned; and the said Commanding Officer may moreover order that in addition to or instead of such Imprisonment and Forfeiture, or any other Punishment which he has Authority to inflict, any Marine who shall have so absented himself as aforesaid shall forfeit his Pay for the Day or Days on which he shall have so absented himself; and, in pursuance of any such Order as aforesaid, the Pay of the Marine shall be accordingly forfeited: Provided always, that such Marine shall not be liable to be afterwards tried by a Court-martial for any Offence for which he shall have been so punished, ordered to suffer Imprisonment, Punishment, or Forfeiture as aforesaid: Provided also, that any Marine who shall be so ordered to suffer Imprisonment or Forfeiture of Pay shall, if he so request, have a Right to be tried by a Court-martial for his Offence, instead of submitting to such Imprisonment or Forfeiture: Provided also, that when any Sentence shall have been wholly remitted, and the Offence pardoned by competent Authority, the Marine shall be entitled to receive his Pay for the Days he may have been in Confinement or Arrest previous to his Trial, and until such Decision has been pronounced: Provided also, that it shall be lawful for the said Lord High Admiral or the said Commissioners to order or withhold the Payment of the whole or any Part of the Pay of any Officer or Marine during the Period of Absence by any of the Causes aforesaid.

Forfeiture of Pay and Liquor for habitual Drunkenness.

XXXIV. Any General, Garrison, or District Court-martial before which any Marine shall be convicted of habitual Drunkenness shall deprive such Marine of such Portion of his Pay, for such Period not exceeding Two Years, and under such Restrictions and Regulations, as may accord with the Articles of War to be made in pursuance of this Act, subject to Restoration on subsequent good Conduct; and every Divisional or Detachment Court-martial shall deprive a Marine convicted of a Charge of habitual Drunkenness of such Portion of his additional or regular Pay for such Period not exceeding Six Months, and under such Restrictions and Regulations, as may accord with the said Articles of War, subject to Restoration on subsequent good Conduct; and in addition to such Deprivation of Pay the Court may, if it shall think fit, sentence such Offender to any other Punishment which the Court may be competent to award: Provided that a Marine so sentenced to the Forfeiture of Pay who shall be quartered or removed to a Station where Liquor forms a Part of his Ration, and is issued in Kind, shall be deprived of his Liquor in Kind, instead of being deprived of One Penny of his daily Pay, for so long a Time as he shall remain in such Station, and such Sentence of Forfeiture of Pay shall remain in force.

XXXV. A Ge-

Forfeiture of Pay for Drunkenness on Duty.

XXXV. A General, District, or Garrison Court-martial may sentence any Marine for being drunk on Duty, and any Court-martial may sentence any Marine for being drunk when on or for Duty or on Parade, or on the Line of March, to be deprived of a Penny a Day of his Pay for any Period not exceeding Thirty Days, in addition to any other Punishment which such Court may award.

Stoppages.

XXXVI. In addition to any other Punishment which the Court may award, a Court-martial may further direct that any Offender may be put under Stoppages until he shall have made good—

Any Loss, Disposal of, or Damage occasioned by him in any of the Instances of disgraceful Conduct herein specified:

Any Loss, Disposal of, or Destruction of, or Damage or Injury to, any Property whatsoever, occasioned by his wilful or negligent Misconduct:

Any Loss, Disposal of, or Destruction of, or Damage or Injury to, his Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries, or any extra Article of Clothing or Equipment that he may have been put in possession of and ordered to wear on the Recommendation of the Surgeon for the Benefit of his Health, or making away with or pawning any Medal for Service or for general good Conduct which may have been granted to him by Order of Her Majesty or by Order of the *East India* Company, or any Loss, Disposal of, or Destruction of, or Damage or Injury to, the Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries of any Officer or Marine, occasioned by his wilful or negligent Misconduct:

Any Expense necessarily incurred by his Drunkenness or other Misconduct:

Provided always, that, except in the Case of the Loss, Disposal of, or Destruction of, or Damage or Injury to, Accoutrements and Necessaries, in which Case the Court may by its Sentence direct that the said Stoppages shall continue till the Cost of replacing or repairing the same be made good, the Amount of any Loss, Disposal, Destruction, Damage or Injury, or Expense, shall be ascertained by Evidence, and the Offender shall be placed under Stoppages for such an Amount only as shall be proved to the Satisfaction of the Court: Provided also, that after satisfying the Charges for his messing and washing, so much only of the Pay of the Marine may be stopped and applied as shall leave him a Residue at the least of One Penny a Day.

Discharge with Ignominy.

XXXVII. Whenever any Marine shall have been convicted of any such disgraceful Conduct, and the Court in respect thereof shall have made the Forfeiture of all Claim to Pension on Discharge a Part of the Sentence passed on such Marine, such Court may further recommend that he be discharged with Ignominy from Her Majesty's Service.

XXXVIII. On

XXXVIII. On the first and on every subsequent Conviction of Desertion the Court-martial, after awarding such Punishment as it may think fit, may order the Offender to be marked on the Left Side, Two Inches below the Armpit, with the Letter D, such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Marking Deserters.

XXXIX. A General or District or Garrison Court-martial may sentence any Marine to Imprisonment, with or without Hard Labour, and may also direct that such Offender shall be kept in Solitary Confinement for any Portion or Portions of such Imprisonment not exceeding Fourteen Days at a Time, nor Eighty-four Days in any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and when the Imprisonment awarded shall extend beyond Three Months, the Court-martial shall imperatively order that the Solitary Confinement shall not exceed Seven Days in any One Month of the whole Imprisonment awarded, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and any Divisional or Detachment Court-martial may sentence any Marine to Imprisonment, with or without Hard Labour, for any Period not exceeding Forty-two Days, and may also direct that such Marine may be kept in Solitary Confinement for any Portion or Portions of such Imprisonment, not exceeding Fourteen Days at a Time, with an Interval between them of not less Duration than such Periods of Solitary Confinement: Provided always, that when any Court-martial, whether General, Garrison, or District, or Divisional or Detachment, shall direct that the Imprisonment shall be solitary only, the Period shall in no Case exceed Fourteen Days.

Power of Imprisonment by different Kinds of Courts-martial.

XL. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence of a Court-martial for any former Offence, it shall be lawful for the Court to award Imprisonment for the subsequent Offence, to commence at the Expiration of the Imprisonment to which such Offender shall have been previously sentenced; and where such Offender shall be already under Sentence either of Imprisonment or Transportation, the Court, if empowered to pass Sentence of Transportation, may award such Sentence for the subsequent Offence to commence at the Expiration of the Imprisonment or Transportation to which such Offender shall have been previously sentenced, although the aggregate of the Terms of Imprisonment or Transportation respectively may exceed the Term for which either of those Punishments would be otherwise awarded.

Imprisonment of Offenders already under Sentence for previous Offence.

Term and Place of Imprisonment.

XLI. Save as herein specially provided, every Term of Transportation or Imprisonment under the Sentence of a Court-martial, whether original or revised, shall be reckoned as commencing on the Day on which the original Sentence and Proceedings shall have been signed by the President; and the Place of Imprisonment under the Sentences of Courts-martial shall be appointed by the Court or the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or the Commanding Officer of the Division to which the Offender belongs or is attached, or the Officer commanding the District, Garrison, Island, or Colony.

Proviso for Removal of Prisoners.

XLII. In the Case of a Prisoner undergoing Imprisonment under Sentence of a Court-martial, or as Part of commuted Punishment, in any public Prison, or in any Gaol or House of Correction, in any Part of Her Majesty's Dominions, it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being, in all Cases, or for the Officer commanding the Division in the Case of a Prisoner imprisoned under the Sentence of a Divisional Court-martial, of his sole Authority, and in all other Cases with the Consent of the Officer commanding the District, Garrison, Island, or Colony, or of the Officer by whom the Sentence of the Court shall have been confirmed, as the Case may be, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and such Prisoner shall accordingly, on the Production of such Order, be discharged or be delivered over, as the Case may be: Provided always, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in Military Custody shall be reckoned as Imprisonment under the Sentence, for whatever Purpose such Detention shall take place.

Custody of Prisoners under Military Sentence in Common Gaols.

XLIII. Every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, or of any Gaol or House of Correction in any Part of Her Majesty's Dominions, shall receive into his Custody any Military Offender under Sentence of Imprisonment by a General or other Court-martial, upon Delivery to him of an Order in Writing in that Behalf from the Officer commanding the Division or Detachment to which the Offender belongs or is attached, which Order shall specify the Period of Imprisonment or Remainder of Imprisonment which the Offender is to undergo, and the Day and Hour of the Day on which he is to be released; and such Governor, Provost Marshal,

Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be discharged or delivered over to Military Custody before the Expiration of that Time, under an Order duly made for that Purpose; and whenever Marines are called out in aid of the Civil Power, or are stationed in Billets, or are on the Line of March, every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, shall receive into his Custody any Marine for a Period not exceeding Seven Days, upon Delivery to him of an Order in Writing in that Behalf from the Officer commanding such Marine; and any Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, who shall refuse to receive and to confine, or to discharge or deliver over, any Marine Offender in the Manner herein prescribed, shall forfeit for every such Offence the Sum of One hundred Pounds.

Their Subsistence in Common Gaols.

XLIV. The Gaoler or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, shall diet and supply every Marine imprisoned by the Sentence of a Court-martial or as a Deserter with Fuel and other Necessaries according to the Regulations of such Place of Confinement, and shall receive on account of every Marine during the Period of his Imprisonment Sixpence *per Diem*, which the Secretary of the Admiralty shall cause to be issued out of the Subsistence of such Marine, upon Application in Writing signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of Sixpence *per Diem* shall be carried to the Credit of the Fund from which the Expense of such Place of Confinement is defrayed.

Expiration of Imprisonment in Common Gaols.

XLV. Every Gaoler or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, or other Place of Confinement, to whom any Notice shall have been given, or who shall have Reason to believe or to know, that any Person in his Custody upon any Charge or for any Offence, Civil, Criminal, or Military, is a Marine, shall on receiving him into Custody give Notice thereof to the Secretary of the Admiralty, and also, if he be confined under Sentence of Imprisonment, previous to the Expiration of the Period of the Imprisonment of such Marine, give to the Secretary of the Admiralty One Month's Notice of the Period of such Expiration

Expiration of Imprisonment, or if there shall not be sufficient Time for a Month's Notice, then the longest practicable Notice thereof; and for every Default of giving either or any of such Notices such Gaoler or Person shall forfeit the Sum of Twenty Pounds.

Military Prisons established under Act for punishing Mutiny and Desertion in Army to be deemed public Prisons.

XLVI. Every Military Prison which shall be established under or by virtue of any Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, shall be deemed to be public Prisons within the Meaning of any Act now in force or hereafter to be in force for the Regulation of Her Majesty's Royal Marine Forces; and that any Officer or Marine convicted by a Court-martial may be sent, by Order of the Commissioners for executing the Office of Lord High Admiral, to any such Military Prison, there to undergo such Punishment as may be awarded by the Sentence passed upon him, or until he be discharged or delivered up by an Order, as in the Case of a Discharge or Removal from any other Prison under this Act.

Musters, and Penalty on false Musters.

XLVII. Musters, as have been customary, shall be taken of every Division or Company of Royal Marines once in every Calendar Month, as shall be appointed; and no Officer or Marine shall be absent from any such Muster, unless duly certified to be employed on some other Duty of the Corps, or sick, or in Prison, or on Furlough; and every Person belonging to Her Majesty's Service who shall give or procure to be given any untrue Certificate, thereby to excuse any Person from any Muster or other Service which he ought to attend or perform, or shall make any false or untrue Muster of Man or Horse, or who shall willingly allow or sign any false Muster or Duplicate thereof, or shall directly or indirectly take or receive any Money or Gratuity for mustering any Person, or for signing any Muster Roll or Duplicate, or shall knowingly muster any Person by a wrong Name, shall, upon Proof by Two Witnesses before a General Court-martial, for any such Offence be forthwith cashiered, and disabled to have or hold any Civil or Military Office or Employment in the Service of Her Majesty; and any Person who shall fraudulently offer or procure himself to be falsely mustered, or lend or furnish any Horse to be falsely mustered, shall, upon Proof thereof by the Oaths of Two Witnesses before some Justice of the Peace residing near to the Place where such Muster shall be made, forfeit the Sum of Twenty Pounds, and the Informer, if he belongs to Her Majesty's Service, shall, if he demand it, be forthwith discharged; and if any Person not belonging to Her Majesty's Service shall give or sign any untrue Certificate of Illness or otherwise in order to excuse any Officer or Marine from Appearance at any Muster, or whereby Her Majesty's Service may be

be defrauded, every Person so offending shall for every such Offence forfeit the Sum of Twenty Pounds.

XLVIII. All Muster Rolls and Pay Lists of Royal Marines required to be verified upon Oath shall be sworn before and attested by any Justice of the Peace, without Fee or Reward to himself or his Clerk. Verifying of Muster Rolls.

XLIX. Every Marine shall be liable to be tried and punished for Desertion from any Corps into which he may have enlisted, or from Her Majesty's Service, although he may of right belong to the Corps from which he shall have originally deserted; and whether such Marine shall be tried for deserting from the Corps into which he originally enlisted, or for deserting from the same Corps into which he may have subsequently enlisted, or for any other Desertion, every Desertion previous or subsequent to that for which he may be so tried may, if duly stated in the Charges, be given in Evidence against him on such Trial. Trials for Desertion after subsequent Re-enlistment.

L. Upon reasonable Suspicion that a Person is a Deserter it shall be lawful for any Constable, or if no Constable can be immediately met with, then it shall be lawful for any Officer or Marine in Her Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and to bring or cause him to be brought before any Justice living in or near such Place, and acting for the County or Borough wherein such Place is situate, or for the County adjoining such first-mentioned County or such Borough; and such Justice is hereby authorized and required to inquire whether such suspected Person is a Deserter, and if it shall appear by the Testimony of One or more Witnesses taken upon Oath, or by the Confession of such suspected Person, confirmed by some corroborative Evidence, or by the Knowledge of such Justice, or by Evidence sufficient to satisfy such Justice, that there are reasonable Grounds for believing that such suspected Person is a Deserter, such Justice shall forthwith cause him to be conveyed in Civil Custody to the Head Quarters or Depôt of the Division to which he belongs, if stationed within Five Miles of the Place of Apprehension, or if such Head Quarters or Depôt shall not be stationed within Five Miles, then to the nearest or most convenient public Prison (other than a Military Prison) or Police Station legally provided as the Lock-up House for temporary Confinement of Persons taken into Custody, whether such Prison or Police Station be in the County or Borough in which such suspected Person was apprehended or in which he was committed or not; or if the Deserter shall have been apprehended by a Party of Marines in charge of a Commissioned Officer, such Justice Apprehension of Deserters.

may deliver him up to such Party, unless the Officer shall deem it necessary to have the Deserter committed to Prison for safe Custody; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary of the Admiralty, specifying thereon whether such Deserter was delivered to a Party of Marines in order for his being taken to the Head Quarters or Depôt of his Division, or whether such Deserter was committed to Prison, to the end that the Person so committed may be removed by an Order from the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, and proceeded against according to Law; and such Justice shall also send to the Secretary of the Admiralty a Report stating the Names of the Persons by whom the Deserter was apprehended and secured, and the Secretary of the Admiralty shall transmit to such Justice an Order upon the proper Department for the Payment of the Sum of Twenty Shillings as a Reward to the Person so certified to be entitled thereto; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more; and every Gaoler and other Person into whose Custody any Person charged with Desertion is committed shall, immediately upon the Receipt of the Person so charged into his Custody, pay such Fee of Two Shillings, and also, upon the Production of a Receipt from the Medical Practitioner who may have been required to examine such suspected Person, a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary of the Admiralty, and transmit also to the Secretary of the Admiralty a Copy of the Commitment, to the end that the Secretary of the Admiralty may order Repayment of the same; and that when any Person shall be apprehended and committed as a Deserter in any of Her Majesty's Colonies, the Justice shall forthwith cause him to be conveyed to some public Prison, if the Detachment to which he is suspected to belong shall not be in the Colony, or if the Detachment be in the Colony, the Justice may, if within reasonable Distance, deliver him into Custody at the nearest Military Post, although the Detachment to which such Person is suspected to belong may not be stationed at such Military Post; and such Justice shall in every Case transmit to the Officer commanding in the Colony a Descriptive Return in the Form prescribed, to the end that such Person may be removed by the Order of such Officer, and proceeded against according to Law.

Penalty on Marines straggling or attempting to desert from Head Quarters.

LI. For and in respect of any Marine straggling or attempting to desert from any Head Quarters who may be apprehended at a greater Distance from Head Quarters than is allowed by the Articles of War, the Party or Parties by whom he shall be apprehended shall be entitled to a Reward of Ten Shillings, to be paid upon

upon the delivering up of such Marine, which Sum of Ten Shillings shall be charged against and stopped and retained out of the Pay and Subsistence of every such Marine.

Temporary Custody of Deserters in Gaols.

LII. Every Gaoler or Person having the immediate Inspection of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, is hereby required to receive and confine every Deserter who shall be delivered into his Custody by any Marine conveying such Deserter under lawful Authority, on Production of the Warrant of the Justice of the Peace on which such Deserter shall have been taken, or some Order from the Admiralty, which Order shall continue in force until the Deserter shall have arrived at his Destination; and such Gaoler or Person shall be entitled to One Shilling for the safe Custody of the said Deserter while halted on the March, and to such Subsistence for his Maintenance as shall be directed by the said Lord High Admiral or the said Commissioners.

Fraudulent Confession of Desertion.

LIII. Any Person who, while serving in Her Majesty's Navy or in any of Her Majesty's Forces, or the Embodied Militia, or the Forces of the *East India* Company, shall, to any Officer, or Subordinate, Warrant, Petty, or Non-commissioned Officer, fraudulently confess himself to be a Deserter, shall be liable to be tried by any Court-martial under this Act, and punished according to the Sentence thereof; and any Person who shall voluntarily deliver himself up as and confess himself to be a Deserter from Her Majesty's Royal Marine Forces, or who, upon being apprehended for any Offence, shall in the Presence of the Justice confess himself to be a Deserter as aforesaid, shall be deemed to have been duly enlisted and to be a Marine, and shall be liable to serve in Her Majesty's Royal Marine Forces, whether such Person shall have been ever actually enlisted as a Marine or not; or in case such Person shall not be a Deserter from the Royal Marine Forces, or shall have been discharged therefrom or from any other Corps for any Cause whatever, or shall be incapable of Service, he shall, on Conviction thereof before Two Justices of the Peace at or near the Place where he shall deliver himself up or confess, or where he may at any Time happen to be, be adjudged to be punished, if in *England*, as a Rogue and Vagabond, and if in *Scotland* or *Ireland*, by Commitment to some Prison or House of Correction, there to be kept to Hard Labour for any Time not exceeding Three Months, or shall be deemed guilty of obtaining Money under false Pretences within the true Intent and Meaning, if in *England*, of an Act passed in the Session holden in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, 7 & 8 G. 4. c. 29.

therewith, and, if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, or, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and every Person so deemed to be guilty of obtaining Money under false Pretences, or of Falsehood, Fraud, and wilful Imposition, (as the Case may be,) shall be liable to be proceeded against and punished accordingly; and the Confession and receiving Subsistence as a Marine by such Person shall be Evidence of the false Pretence, or of the Falsehood, Fraud, and Imposition, (as the Case may be,) and of the obtaining Money to the Amount of the Value of such Subsistence, and the Value of such Subsistence so obtained may be charged in the Indictment as so much Money received by such Person; and in case such Person shall have been previously convicted of the like Offence, or shall have been summarily convicted and punished in *England* as a Rogue and Vagabond, or in *Scotland* or *Ireland* by Commitment, for making a fraudulent Confession of Desertion, such former Conviction may be alleged in the Indictment, and may be proved upon the Trial of such Person; and in such Indictment for a Second Offence it shall be sufficient to state that the Offender was at a certain Time and Place convicted of obtaining Money under false Pretences as a Deserter, for making a fraudulent Confession of Desertion, without otherwise describing the said Offence; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction of the former Offence, purporting to be signed by the Clerk of the Court or other Officer having the Custody of the Record of the Court where the Offender was first convicted, or by the Deputy of such Clerk, or by the Clerk of the convicting Magistrates, shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of the First Conviction, without Proof of the Signature or official Character of the Person appearing to have signed the same; and if the Person so confessing himself to be a Deserter shall be serving at the Time in Her Majesty's Royal Marine Forces he shall be deemed to be and shall be dealt with by all Justices and Gaolers as a Deserter.

9 G. 4. c. 55.

Punishment for inducing Marines to desert.

LIV. Any Person who shall, in any Part of Her Majesty's Dominions, by Word, or by any other Means whatsoever, directly or indirectly procure any Marine to desert, or shall by Words or by any other Means whatsoever attempt to procure or persuade any Marine to desert, and any Person who, knowing that any Marine is about to desert, shall aid or assist him in deserting, or, knowing any Marine to be a Deserter, shall conceal such Deserter, or aid or assist such Deserter in concealing himself, shall be deemed guilty of a Misdemeanor,

meanor, and shall on Conviction thereof be liable to be punished by Fine or Imprisonment, or both, as the Court before which such Conviction shall take place may adjudge.

Extension of Furlough in case of Sickness.

LV. When there shall not be any Officer of Her Majesty's Land or Marine Forces of the Rank of Captain or of a superior Rank, or any Adjutant of Militia, within convenient Distance of the Place where any Non-commissioned Officer or Marine on Furlough shall be detained by Sickness or other Casualty rendering necessary an Extension of such Furlough, it shall be lawful for any Justice who shall be satisfied of such Necessity to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall immediately certify such Extension, and the Cause thereof, to the Commanding Officer of the Division or Detachment to which the Man belongs, if known, and if not, then to the Secretary of the Admiralty, in order that the necessary Allowance of Pay and Subsistence may be remitted to the Marine, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter: Provided always, that nothing herein contained shall be construed to exempt any Marine from Trial and Punishment according to the Provisions of this Act for any false Representation made by him in that Behalf to the said Officer or Justice so extending the Furlough, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough.

Marines liable to be taken out of Her Majesty's Service only for Felony and certain Misdemeanors, or for Debts amounting to 30*l.* and upwards;

LVI. Any Person enlisted into Her Majesty's Royal Marine Forces as a Marine shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony, or on account of Misdemeanor other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money, or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least over and above all Costs of Suit in the Action or Actions, such Affidavit to be sworn, without Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Facts sworn to, and the Day of filing such Affidavit; but no Marine or other Person as aforesaid shall be liable to be summoned before any Justice of the Peace or other Authority whatsoever, or to be taken out of Her Majesty's Service by any Capias, Writ, Summons, Order, Judgment, Process, or Execution issued by or by the Authority of any Court or Inferior Court for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for deserting or having deserted, or

but not liable to be taken out of Her

 for

Majesty's Service for not maintaining their Families or for Breach of Contract.

for leaving or having left chargeable to any Parish, Township, or Union, any Wife, or any Child or Children, legitimate or illegitimate, or other Relation which such Marine would, if not in Her Majesty's Service, be liable by Law to support or maintain, or for the Breach of any Contract, Covenant, Agreement, or other Engagement whatever, by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences, on account of any of the Matters for which it is herein declared that a Marine is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void to all Intents and Purposes; and any Judge of any such Court may examine into any Complaints made by a Marine or by his Superior Officer, and by Warrant under his Hand discharge such Marine, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Marine out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Marine or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body: Provided also, that nothing herein contained relating to the leaving or deserting a Master or Employer, or to the Breach of any Contract, Agreement, or Engagement, shall apply to Persons who shall be really and *bonâ fide* Apprentices, duly bound, under the Age of Twenty-one Years, as herein prescribed.

Officers not liable to take Parish Apprentices.

LVII. No Officer of Her Majesty's Royal Marine Forces residing in Barracks or elsewhere under Military Law shall be deemed liable to have any Parish poor Child bound Apprentice to him.

Officers not to be Sheriffs or Mayors.

LVIII. No Person who shall be commissioned and in Full Pay as an Officer in the Royal Marine Forces, or who shall be employed in enlisting for such Forces, shall be capable of being nominated or elected to be Sheriff, Constable, or Overseer, Guardian of any Union, or any Officer of a like Description, of any County, Hundred, Riding, City, Borough, Town, Division, Parish, or other Place, or to be Mayor, Portreeve, Alderman, or shall be capable of holding any Office in any Municipal Corporation in any City, Borough, or Place in *Great Britain* or *Ireland*; or be summoned or shall serve as a Grand or Petit Juror or upon any Inquest, and any Summons for him to attend to serve as a Grand or Petit Juror or upon an Inquest shall be null and void; and every such Person is hereby exempted from Attendance

Attendance and Service in accordance with any such Summons, and from all Fines, Pains, and Penalties for or in consequence of not attending or serving as aforesaid.

Enlisting and swearing of Recruits.

LIX. Every Person who shall receive Enlisting Money (knowing it to be such) to serve in the Royal Marines from any Person employed in the Recruiting Service, and being an Officer, Non-commissioned Officer, or attested Marine, shall be deemed to be enlisted as a Marine in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall, within Twelve Hours after the Receipt of the Enlisting Money, cause to be taken down in Writing the Name and Place of Abode of such Recruit, and, if such Recruit shall not reside in or in the Vicinity of the Town or Place where he offered to enlist, the Place also at which he shall declare that he intends to sleep, in order that within Forty-eight Hours, but not sooner than Twenty-four Hours, (any intervening *Sunday* not included,) after his having received the Enlisting Money, Notice of his having so enlisted be given to the Recruit in the Form prescribed in the Schedule to this Act annexed, or left at his usual Place of Abode, or at the Place where he stated that it was his Intention to sleep; and when any Person shall be enlisted as a Marine he shall within Ninety-six Hours, (any intervening *Sunday* not included,) but not sooner than Twenty-four Hours, after such Enlisting, unless he shall voluntarily have absented himself or absconded, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before a Justice, not being an Officer in the Marines, residing in the Vicinity of the Place or acting for the Division or District or Place where such Recruit shall have enlisted, or where the Head Quarters of the Recruiting Party shall be stationed, and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall then and there in the Presence of the said Recruit record or cause to be recorded in Writing his Answers thereunto; and the said Justice is hereby required forthwith to read over, or cause his Clerk in his Presence to read over, to such Recruit, the several Articles of War against Mutiny and Desertion, and to administer to such Recruit the Oath in the Schedule to this Act annexed applicable to the Case of a Recruit, and no other Oath, anything in any Act to the contrary notwithstanding; and the Fee for administering such Oath shall be One Shilling and no more; and the said Justice is hereby required to give, under his Hand, the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified

certified shall refuse to take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Justice, at the Request of the Officer or Non-commissioned Officer with whom he enlisted, to detain and confine such Person until he shall take the said Oath of Fidelity.

Dissent and Relief from Enlistment.

LX. Any Recruit appearing as aforesaid before such Justice shall be at liberty to declare his Dissent to such Enlisting, and upon such Declaration, and repaying the Enlisting Money, and the full Amount of any Pay he may have received as a Recruit, and also paying the Sum of Twenty Shillings as Smart Money, shall be forthwith discharged in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent, to return and pay all such Money and Pay as aforesaid, he shall be deemed and taken to be enlisted as if he had given his Assent thereto before the said Justice: Provided always, that it shall be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Ninety-six Hours as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Justice upon Proof to his Satisfaction that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and after deducting One Shilling as the Fee to his Clerk for reporting the Payment to the Secretary of the Admiralty, shall be paid to any Person belonging to the Recruiting Party entitled thereto and demanding the same: Provided also, that no Recruit who has actually, though erroneously, been discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment, shall be liable on that account to be proceeded against as having deserted from Her Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give to him a Certificate under his Hand specifying the Cause thereof.

Offences connected with Enlistment.

LXI. If any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before a Justice, or shall absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Ninety-six Hours as aforesaid, such Recruit shall be deemed to be enlisted and a Private in Her Majesty's Royal Marine

Marine Forces as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for the Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Ninety-six Hours as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted: Provided always, that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to the Secretary of the Admiralty, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he shall be finally adjudged to be a Deserter; and it shall be lawful for any Two Justices acting for the County, Division, District, or Place where any such Recruit shall at any Time happen to be when any such Recruit shall be brought, and shall be proved upon Oath before them to have concealed his belonging or having belonged to the Militia, or any Regiment, or to the Marines, Ordnance, or Navy, or the Forces of the *East India* Company, and discharged, or to have deserted therefrom, or to have concealed his having been discharged on any prior Enlistment, or to have wilfully concealed any Infirmity, or designedly made any false Representation at or previously to the Time of receiving Enlisting Money or upon being attested, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law may be inflicted on Rogues and Vagabonds, and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed before the Justice at the Time of his Attestation, and shall obtain any Enlisting Money, or any Bounty for entering into Her Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences,

within the true Intent and Meaning, if in *England*, of an Act passed in the Session holden in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and any attested Recruit who shall in any Part of Her Majesty's Dominions or elsewhere have committed any of the before-mentioned Offences regarding Enlistment may be summarily punished, or prosecuted, tried, and convicted, for any such Offence, at any Time during the Continuance of the Service for which he shall have enlisted, and in any County or Place where he may happen to be when such summary Proceeding or Prosecution shall be instituted; and the Production of the Oath in the Schedule to this Act annexed taken by the Recruit on his Attestation, and the Certificate signed by the Justice before whom the Recruit was attested, certifying that the Questions and Answers contained in the Attestation were in His Presence put to and given by such Recruit, shall, in the Absence of Proof to the contrary, be deemed and taken to be sufficient Evidence of such Recruit having represented the several Particulars as in the Oath sworn by him; and Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in Her Majesty's Service, or to Her Majesty's Navy or Marine or Ordnance, or to the Forces of the *East India* Company, or that he designedly made any false Representation of any Particular contained in the said Oaths and Certificates or either of them before the Justice at the Time of the Attestation of the Person being prosecuted, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary of the Admiralty by the Justice before whom such Proof shall have been given; and any Man having been enrolled as a Volunteer under the Act Fifteenth and Sixteenth *Victoria*, Chapter Fifty, to serve in the Militia at the Time of offering to enlist into the Marines who shall deny that he is a Militia Man then actually enrolled and engaged to serve, or shall deny to the Justice before whom he shall be attested that he belongs to the Militia, shall, in lieu of and instead of the Penalties now imposed by Law for such Offence, on Conviction thereof before any One Justice in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, or upon the Production of the Attestation and the before-

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

before-mentioned Acknowledgment of such Person, certified by the Secretary of the Admiralty, or upon the Offence being proved before a Court of Inquiry, forfeit all Militia Bounty which would have become payable to him during the Period of his belonging to Her Majesty's Royal Marine Forces, if he had not therein enlisted, and be subjected to a Stoppage of One Penny a Day from his Pay for Eighteen Calendar Months, to be applied as the Secretary of the Admiralty shall direct, or if enrolled in the Militia as a balloted Man or a Substitute shall, if convicted before any One Justice as aforesaid, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprise for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable, and such Person, whether he shall have been enrolled as a Volunteer or as a balloted Man or Substitute, shall from the Day on which his Engagement to serve in the Militia shall end be and serve as a Marine of the Division of Her Majesty's Royal Marine Forces into which he has so enlisted: Provided also, that every such Person shall be liable to serve in Her Majesty's Royal Marine Forces in which he has so enlisted during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and be liable to be apprehended and dealt with and punished as a Deserter from the Marines if he shall neglect or refuse to join and serve therein.

Penalty on Officers offending as to Enlistment.

LXII. Every Marine Officer who shall wilfully act contrary to the Provisions of this Act in any respect regarding the enlisting and attesting of Recruits for Her Majesty's Service shall, upon Proof thereof upon Oath by Two Witnesses before a General Court-martial, be cashiered, and disabled to hold any Civil or Military Office or Employment in Her Majesty's Service.

Apprentices enlisting to be liable to serve after the Expiration of their Apprenticeship.

LXIII. Any Person duly bound as an Apprentice who shall enlist into Her Majesty's Royal Marine Forces, and shall state to the Magistrate before whom he shall be carried and attested that he is not an Apprentice, shall be deemed guilty of obtaining Money by false Pretences within the true Intent and Meaning of the before-recited Acts, if in *England* or in *Ireland*, and of Falsehood, Fraud, and wilful Imposition if in *Scotland*, and shall after the Expiration of his Apprenticeship, whether he shall have been so convicted and punished or not, be liable to serve as a Marine according to the Terms of the Enlistment, and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits, may be taken as a Deserter from Her Majesty's Royal Marine Forces.

LXIV. No

Claims of Masters to Apprentices.

LXIV. No Master shall be entitled to claim an Apprentice who shall enlist as a Marine in Her Majesty's Service unless such Master shall, within One Calendar Month next after such Apprentice shall have left his Service, go before some Justice, and take the Oath mentioned in the Schedule to this Act annexed, and at the Time of making his Claim produce to the Officer under whose Command the Recruit shall be the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed; nor unless such Apprentice shall have been bound, if in *England*, for the full Term of Seven Years, (not having been above the Age of Fourteen Years when so bound,) and if in *Ireland* or in the *British Isles*, for the full Term of Five Years at the least, (not having been above the Age of Sixteen when so bound,) and if in *Scotland*, for the full Term at least of Four Years, by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture in *Scotland* shall, within Three Months after the Commencement of the Apprenticeship and before the Period of Enlistment, have been produced to a Justice of the Peace of the County in *Scotland* wherein the Parties reside, and there shall have been endorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to endorse and sign; nor unless any such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age: Provided always, that any Master of an Apprentice indentured for the Sea Service shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice may have been bound for a less Term than Seven, Five, or Four Years as aforesaid: Provided also, that any such Master who shall give up the Indentures of Apprenticeship within One Month after the enlisting of such Apprentice shall be entitled to receive, to his own Use, so much of the Bounty payable to such Recruit, after deducting therefrom Two Guineas to provide him with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice.

No Apprentice claimed by the Master shall be taken away without a Warrant.

LXV. No Apprentice claimed by his Master shall be taken from any Division, Detachment, Recruiting Party, or Ship of Her Majesty, except under a Warrant of a Justice residing near and within whose Jurisdiction such Apprentice shall then happen to be, and before whom he shall be carried; and such Justice shall inquire into the Matter upon Oath (which Oath he is hereby empowered to administer),

administer), and shall require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to the Commanding Officer, and a Copy thereof left with some Officer or Non-commissioned Officer of the Party, and that such Person so enlisted declared that he was no Apprentice; and such Justice, if required by such Officer or Non-commissioned Officer, shall commit the Offender to the Common Gaol of the said Place, and shall keep the Indenture to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or at the Sessions immediately succeeding the next General or Quarter Sessions of the County, Division, or Place, unless the Court shall on just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justices that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender in *Scotland* may be tried by the Judge Ordinary in the County or Stewartry in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment: Provided always, that any Justice not required as aforesaid to commit such Apprentice may deliver him to his Master.

Punishment of Apprentices enlisting.

LXVI. It shall be lawful for the Justice before whom any Recruit shall be attested before the Expiration of the Term of Service for which he had been hired by his Master to adjudge to such Recruit a reasonable Proportion of his Wages for the Time he has actually served; and the said Justice shall make an Order for the Payment of the Amount so awarded, and if the same be not paid within Four Days shall issue his Warrant for levying the same by Distress and Sale of the Goods and Chattels of the Master.

Servants enlisting to be entitled to a Portion of their Wages.

LXVII. And whereas certain Marines who have heretofore been duly enlisted, and who have voluntarily taken the Oath of Allegiance and Fidelity, and are now receiving Her Majesty's Pay, have been sworn and attested, but Doubts have arisen whether the Justices before whom the said Marines have been so sworn and attested were the proper Justices to administer to such Marines the Oaths prescribed by the several Acts passed for the Regulation of Her Majesty's Royal Marine Forces while on shore: Be it enacted, That in every Case where any such Marine having been duly enlisted shall have been so attested and sworn, and shall not have claimed to be discharged, on or before the Seventeenth Day of *March* One thousand eight hundred and forty-six, he shall not be entitled to his Discharge by reason of such Informality, but shall be liable to all the Provisions of this Act, and of the Act passed in the last Session of Parliament, for the Regulation of Her Majesty's Royal Marine Forces while on shore,

Removal of Doubts as to Attestation of Marines.

shore, where in force, and shall be entitled to the full Benefit of his past Service, and to all Pay and Pension in respect thereof, to all Intents and Purposes, and in like Manner, as if he had been duly attested and sworn.

Admiralty may order Pay to be withheld.

LXVIII. It shall also be lawful for the Lord High Admiral, and also for the said Commissioners for executing the Office of Lord High Admiral, to give Orders for withholding the Pay of any Officer or Marine for any Period during which such Officer or Marine shall be absent without Leave, or improperly absent from his Duty, or in case of any Doubt as to the proper Issue of Pay to withhold it from the Parties aforesaid until the said Lord High Admiral or the said Commissioners shall come to a Determination upon the Case.

Billeting of Marines.

LXIX. And whereas there is and may be Occasion for the marching and also for the quartering of the Royal Marine Forces when on shore: Be it enacted, That during the Continuance of this Act, upon the Order or Orders in Writing in that Behalf under the Hand of the Lord High Admiral, or the Hands of Two or more of the Commissioners for executing the Office of Lord High Admiral, for the Time being, or upon the Order or Orders in Writing in that Behalf under the Hand of any Colonel Commandant or Commanding Officer of any Division of Royal Marines, it shall be lawful for all Constables and other Persons specified in this Act in *England* and *Ireland*, and they are hereby required, to billet the Officers and Marines, whether marching or otherwise, and all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to the Royal Marine Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by Her Majesty's Regulations, in Victualling Houses and other Houses specified in this Act, taking care in *Ireland* not to billet less than Two Men in any One House; and they shall be received by the Occupiers of such Houses, and be furnished by such Victualler with proper Accommodation in such Houses, and with a separate Bed for each Marine, or if any Victualler shall not have sufficient Accommodation in the House upon which a Marine is billeted, then in some good and sufficient Quarters to be provided by such Victualler in the immediate Neighbourhood, and in *England*, with Diet and Small Beer, and with Stables, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Time when Marines are on their March shall any of them be billeted above One Mile from the Place mentioned in the Route; and in all Places where Marines shall be billeted in pursuance of this Act, the Officers and their Horses shall be billeted in One and the same House, except in case

case of Necessity; and the Constables are hereby required to billet all Marines on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in the Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were therein locally situated: Provided always, that nothing herein contained shall be construed to extend to authorize any Constable to billet Marines out of the County to which such Constable belongs when the Constable of the adjoining County shall be present and undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Marines and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present, or to the Non-commissioned Officer on the Spot; and if any Person shall find himself aggrieved by having an undue Proportion of Marines billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice, then to Two or more Justices, within whose Jurisdiction such Marines are billeted, such Justices respectively shall have Power to order such of the Marines to be removed and to be billeted upon other Persons as they shall see Cause; and when any Horses belonging to the Officers of Her Majesty's Royal Marine Forces shall be billeted upon the Occupiers of Houses who shall have no Stables, then, upon a written Requisition of the Officer commanding such Marines, the Constable is hereby required to billet the Horses upon some other Person having Stables by this Act liable to have Officers and Marines billeted upon them, and any Two or more Justices of the Peace may order a proper Allowance to be paid by the Persons relieved to the Persons receiving such Horses, or to be applied in the furnishing the requisite Accommodation; and the Commanding Officer may exchange any Man or Horse billeted in any Place with another Man or Horse billeted in the same Place, for the Convenience or Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Marines requiring Billets, to extend any Route, or enlarge the District within which Billets shall be required, in such Manner as shall appear to be most convenient to Her Majesty's Service: Provided also, that to prevent or punish all Abuses in billeting Marines it shall be lawful for any Justice, within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and

Marines

Marines who shall be quartered by such Constable, together with the Names of the Persons upon whom such Officers and Marines are billeted, stating the Street or Place where such Persons dwell, and the Signs, if any, belonging to their Houses; and it shall be lawful for Constables to billet Officers and Marines in *Scotland* according to the Provisions of the Laws in force in *Scotland* as regards billeting Officers and Soldiers in the Royal Army at the Time of its Union with *England*; and no Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of *Edinburgh*: Provided also, that no Justice being an Officer of Royal Marines shall directly or indirectly be concerned in billeting or appointing Quarters under this Act.

Allowance to Innkeepers.

LXX. The Innholder or other Person on whom any Marine is billeted in *England* shall, if required by such Marine, furnish him for every Day on the March, and for a Period not exceeding Two Days, when halted at any intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previously to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Tenpence; and all Innholders and other Persons on whom Marines may be billeted in *England*, except when on the March, and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Marines with Candles, Vinegar, and Salt, and shall allow them the Use of Fire and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of a Halfpenny *per Diem* for each Marine; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Royal Marine Forces shall be billeted, in *England*, for Hay and Straw, shall be Ninepence *per Diem* for each Horse, and in *Ireland* the Sum to be paid for Forage to the Innholder or other Persons for Horses billeted by virtue of this Act shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland*; and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses in which they are billeted, the Sum of Fourpence *per* Week for each Horse shall be paid; and every Officer to whom it belongs to receive or who does actually receive the Pay and Subsistence of the Officers and Men shall every Four

Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle the just Demands of all Victuallers or other Persons on whom such Men are billeted, out of their Pay and Subsistence, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any such Officer shall not pay the same as aforesaid, then, upon Complaint and Oath made thereof by any Two Witnesses before Two Justices of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where such Quarters were situate, sitting in Quarter or Petty Sessions, the Secretary of the Admiralty is hereby required, upon Certificate of the Justices before whom such Oath shall be made of the Sum due to Complainant, to order Payment of the Amount which shall be charged against such Officer, and in case of any Marines being suddenly ordered to march, and of the Commanding Officer not being enabled to make immediate Payment of the Sums due on account of Billets, every such Officer shall before his Departure make up the Account with every Person upon whom any such Marines may have been billeted, and sign a Certificate thereof; which Account and Certificate, on being transmitted to the Secretary of the Admiralty, shall be immediately paid, and charged to the Officer's Account.

Supply of Carriages.

LXXI. For the regular Provision of Carriages for the Royal Marine Forces and their Baggage on their Marches in *Great Britain* and *Ireland*, all Justices of the Peace within their several Jurisdictions, being duly required thereunto by Order of the said Lord High Admiral, or Two or more of the Commissioners for executing the said Office of Lord High Admiral, for the Time being, or any Colonel Commandant or Commanding Officer of a Division of Royal Marines, shall, on the Production of such Order, or a Copy thereof certified by the Commanding Officer, to them or any One or more of them, by the Officer or Non-commissioned Officer of the Party of Marines so ordered to march, issue a Warrant to any Constable having Authority to act in any Place from, through, near, or to which such Marines shall be ordered to march, (for each of which Warrants a Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses, Oxen, and Drivers therein mentioned, (allowing sufficient Time to do the same,) specifying the Places from and to which the said Carriages shall travel, and the Distance between the Places, for which Distance only so specified Payment shall be demanded, and which Distance shall not, except in Cases of pressing Emergency, exceed the Day's March prescribed in the Order of Route, and shall in no Case exceed Twenty-five Miles; and the Constables receiving such Warrant shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly;

 and

and in case sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of Proceeding, supply the Deficiency; and in order that the Burden of providing Carriages may fall equally, and to prevent Inconvenience arising from there being no Justice residing near the Place where Marines may be quartered on the March, the Justice or Justices residing nearest to such Place shall cause a List to be made out, at least once in every Year, of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, which List shall at all seasonable Hours be open to the Inspection of the said Persons, and shall by Warrant under his Hand authorize the Constables within his Jurisdiction to give Orders to provide Carriages without any special Warrant from him for that Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation, so far as the same can be done.

Rates for Carriages.

LXXII. In every Case in which the whole Distance for which any Carriage shall be impressed shall be under One Mile the Rate of a full Mile shall be paid; and the Rates to be paid for Carriages impressed shall be, in *England*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses carrying not less than Fifteen Hundredweight, shall travel, Ninepence; and for every Mile every other Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundredweight, shall travel, Sixpence; and in *Ireland*, for every Hundredweight loaded on any Wheel Carriage One Halfpenny *per* Mile; and in *England* such further Rates may be added, not exceeding a total additional Sum *per* Mile of Fourpence, Threepence, or Twopence to the respective Rates of One Shilling, Ninepence, and Sixpence, as may seem reasonable to the Justices assembled at General Sessions in *England* for their respective Districts, or to the Recorder of any Municipal City, Borough, or Town, Corporate or not Corporate; and the Order of such Justices at Sessions or Recorder shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, and the Period for which the Order shall be enforced, not exceeding Ten Days beyond the next General Sessions; and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and One other Justice, or by the Recorder, shall be transmitted to the Secretary of the Admiralty within Three Days after the making thereof; and also in *England*, when the Day's March shall exceed Fifteen Miles, the Justice granting his Warrant may fix a further reasonable Compensation not exceeding the

the usual Rate of Hire fixed by this Act; and when additional Rates or Compensation shall be granted, the Justice shall insert in his own Hand in the Warrant the Amount thereof, and the Date of the Order of Sessions, if fixed by Sessions, and the Warrant shall be given to the Officer commanding, as his Voucher; and the Officer or Non-commissioned Officer demanding Carriages by virtue of the Warrant of a Justice shall, in *England*, pay down the proper Sums into the Hands of the Constable providing Carriages, who shall give Receipts for the same on unstamped Paper; and, in *Ireland*, the Officers or Non-commissioned Officers as aforesaid shall pay the proper Sums to the Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded, and all the said Payments in *Ireland* shall be made, if required, in Presence of a Justice or Constable; and no Carriage shall be liable to carry more than Thirty Hundredweight in *England*, and in *Ireland* no Car shall be liable to carry more than Six Hundredweight, and no Dray more than Twelve Hundredweight; but the Owner of such Carriages in *Ireland* consenting to carry a greater Weight shall be paid at the same Rate for every Hundredweight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Threepence a Mile for each Car and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expense of the Owner of the Carriage, if the same can be done in a reasonable Time, without Hindrance of Her Majesty's Service; and the providing and paying for Carriages in *Scotland* shall be regulated by the Law in force at the Time of the Union with *England*: Provided also, that a Cart with One or more Horses, for which the Furnisher shall receive Ninepence a Mile, shall be required to carry Fifteen Hundredweight at the least; and that no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses or Oxen or Weight of Loading of the aforesaid Carriages, nor shall any such Carriages on that account be stopped or detained; and whenever it shall be necessary to impress Carriages for the March of Marines from *Dublin*, at least Twenty-four Hours Notice of such March, and in case of Emergency as long Notice as the Case will admit, shall be given to the Lord Mayor of *Dublin*, who shall summon a proportional Number of Cars and Drays, at his Discretion, out of the licensed Cars and Drays and other Cars and Drays within the County of the said City, and they shall by Turns be employed on this Duty at the Prices and under the Regulations herein-before mentioned; and no Country Cars, Drays, or other Carriages coming to Markets in *Ireland* shall be detained or employed

employed against the Will of the Owners in carrying the Baggage of Marines on any Pretence whatever.

Providing for Supply of Carriages, &c. in Cases of Emergency.

LXXIII. It shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or the Lord Lieutenant or Chief Governors of *Ireland*, by their or his Orders distinctly stating that a Case of Emergency doth exist, signified by the Secretary of the Admiralty, or, if in *Ireland*, by the Chief Secretary or Under Secretary, or the First Clerk in the Military Department, to authorize any Commanding Officer of Her Majesty's Royal Marine Forces in any District or Place, or to the chief acting Agents for the Supply of Stores and Provisions, by Writing under his Hand, reciting such Order of the Lord High Admiral, or the said Commissioners, or Lord Lieutenant or Chief Governors aforesaid, to require all Justices within their several Jurisdictions in *England* and *Ireland* to issue their Warrants for the Provision, not only of Waggons, Wains, Carts, and Cars kept by or belonging to any Person and for any Use whatsoever, but also of Saddle Horses, Coaches, Postchaises, Chaises, and other Four-wheeled Carriages kept for Hire, and also of Boats, Barges, and other Vessels used for the Transport of any Commodities whatsoever upon any Canal or navigable River as shall be mentioned in the said Warrants, therein specifying the Place and Distance to which such Carriages or Vessels shall go; and on the Production of such Requisition, or a Copy thereof certified by the Commanding Officer, to such Justice, by any Officer of the Corps ordered to be conveyed, such Justice shall take all the same Proceedings in regard to such additional Supply so required on the said Emergency as he is by this Act required to take for the ordinary Provision of Carriages; and all Provisions whatsoever of this Act as regards the procuring of the ordinary Supply of Carriages, and the Duties of Officers and Non-commissioned Officers, Justices, Constables, and Owners of Carriages in that Behalf, shall be to all Intents and Purposes applicable for the providing and Payment according to the Rates of Posting or of Hire usually paid for such other Description of Carriages or Vessels so required on Emergency, according to the Length of the Journey or Voyage in each Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls, which Duty or Tolls are hereby declared not to be demandable for such Carriages and Vessels while employed in such Service or returning therefrom; and it shall be lawful to convey thereon not only the Baggage, Provisions, and Military Stores of such Detachment, but also the Officers, Marines, Servants, Women, Children, and other Persons of and belonging to the same.

LXXIV. It

LXXIV. It shall be lawful for the Justices of the Peace assembled at their Quarter Sessions to direct the Treasurer to pay, without Fee, out of the Public Stock of the County or Riding, or if such Public Stock be insufficient then out of the Monies which the said Justices shall have Power to raise for that Purpose, in like Manner as for County Gaols and Bridges, such reasonable Sums as shall have been expended by the Constables within their respective Jurisdictions for Carriages and Vessels, over and above what was or ought to have been paid by the Officer requiring the same, regard being had to the Season of the Year and Condition of the Ways by which such Carriages and Vessels are to pass.

Justices of Peace to direct Payment of Sums expended for Carriages, &c.

LXXV. It shall be lawful for the said Lord Lieutenant or other Chief Governor for the Time being of *Ireland* to depute, by Warrant under his Hand and Seal, some proper Person to sign Routes in Cases of Emergency for the marching of any of Her Majesty's Royal Marine Forces in *Ireland*, in the Name of such Lord Lieutenant or Chief Governor.

Lord Lieutenant of Ireland may depute Persons to sign Routes.

LXXVI. All Officers and Marines, being in proper Uniform, Dress or Undress, and their Horses, (but not when passing in any private or hired Vehicle,) and all Recruits marching by Route, and all Prisoners under Military Escort, and all Carriages and Horses belonging to Her Majesty, or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when employed in conveying Persons or Baggage going thereto or returning therefrom, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Act or Ordinance, Order or Direction of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; and if any Toll Collector shall demand or receive Toll from any Marine Officer or Marine who shall be in proper Uniform, Dress or Undress, or for their Horses, and who by this Act is exempted from Payment thereof, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or for any Carriages or Horses belonging to Her Majesty, or employed in Her Service under the Provisions of this Act, when conveying Persons or Baggage, or returning therefrom, every such Collector shall for every such Offence be liable to a Penalty not exceeding Five Pounds; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto,

Exemption from Tolls.

 except

except when employed in Cases of Emergency as herein mentioned; and, that when any Officers or Marines on Service shall have Occasion in the March by Route to pass regular Ferries in *Scotland*, the Officer commanding shall be at liberty to pass over with his Marines as Passengers, paying for himself and each Marine One Half only of the ordinary Rate payable by Passengers, or he shall be at liberty to hire the Ferry Boat for himself and his Party, debarring all others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

Marching Money on Discharge.

LXXVII. Every Marine upon being discharged from the Service shall be entitled to an Allowance (not exceeding in any Case the Amount of Twenty-one Days Marching Money) to enable him to reach his Home, or the Place at which he shall at the Time of his Discharge decide to take up his Residence, such Place not being at a greater Distance from the Place of his Discharge than the Place of his original Enlistment, which Allowance shall be calculated according to the Distance he has to travel: Provided always, that no Person who shall purchase his own Discharge, or be discharged on account of Misbehaviour, or at his own Desire, before the Expiration of his Period of Service, shall be entitled to any such Allowance.

Notification to Parishes of good or bad Conduct of Marines.

LXXVIII. The Churchwardens of every Parish in *England* and *Ireland*, and the Constable or other Officer of every Parish or Place in *Scotland*, on receiving a Notification from the Secretary of the Admiralty of the Name of any Marine belonging to the said Parish or Place who has for meritorious Conduct received Her Majesty's special Approbation, or who in consequence of Misconduct has been dismissed Her Majesty's Service with Disgrace, shall affix to and leave such Notification on the Outside of the Door of the Church or Chapel belonging to such Parish or Place on the *Sunday* next succeeding the Receipt of such Notification.

Penalties upon Civil Subjects offending against the Laws relating to Billets and Carriages.

LXXIX. If any Constable or other Person who by virtue of this Act shall be employed in billeting any Officers or Marines in any Part of the United Kingdom shall presume to billet any such Officer or Marine in any House not within the Meaning of this Act without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Marine on Duty when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Marines; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving any such Officer or Marine; or shall quarter any of the Wives, Children, Men or Maid Servants

Servants of any Officer or Marine in any such Houses against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person ordered by any Constable in manner herein-before directed to provide Carriages, Horses, or Vessels shall refuse or neglect to provide the same according to the Orders of such Constable, or shall demand more than the legal Rates for the same, or shall do any Act or Thing by which the Execution of any Warrants for providing Carriages, Horses, or Vessels shall be hindered; or if any Person liable by this Act to have any Officer or Marine quartered on him shall refuse to receive any such Officer or Marine, or to afford him proper Accommodation or Diet in the House of such Person in which he is quartered, or to furnish the several Things directed to be furnished to Officers and Marines, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw for each Horse, at the Rate established by this Act, and in such Quantities as shall be fixed by Her Majesty's Regulations, not exceeding Eighteen Pounds of Hay and Six Pounds of Straw *per Diem* for each Horse, or shall pay any Sum of Money to any Marine on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Marine is entitled; such Constable, Victualler, and other Person respectively shall forfeit for every Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty upon Officers of Marines so offending.

LXXX. If any Officer of Royal Marines shall take upon him to quarter Men otherwise than is allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Justice, Constable, or other Civil Officer tending to deter and discourage any of them from performing any Part of their Duty under this Act, or to do anything contrary thereto, such Officer shall for every such Offence, being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses, be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to hold any Military Employment in Her Majesty's Service; provided a Certificate thereof be forthwith transmitted by the said Justices to the Secretary of the Admiralty, and that the Conviction be affirmed at some Quarter Sessions of the Peace for the said County to be held next after the Expiration of Three Months after such Certificate shall have been transmitted as aforesaid; and if any Marine Officer shall take or knowingly suffer to be taken any Money or Reward of any Person for excusing the quartering of Officers or Marines, or shall billet any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any House against the Consent of the Occupier,

pier, he shall for any of the said Offences, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return home on the same Day, if it be practicable, except in the Case of Emergency for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Marine or Servant (except such as are sick) or any Woman to ride therein, except in Cases of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same shall be required, and can be done within a reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any Carriage than is directed by this Act, he shall forfeit for every Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty for forcible Entry.

LXXXI. Every Marine Officer who shall, without Warrant from One or more of Her Majesty's Justices, forcibly enter into or break open the Dwelling House or Outhouses of any Person whomsoever, under Pretence of searching for Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds.

Penalty for purchasing Clothes, &c. from any Marine.

LXXXII. Any Person who shall detain, buy, or exchange, or otherwise receive from any Marine or Marine Deserter, or any other Person, upon any Account or Pretence whatsoever, or shall solicit or entice any Marine, or shall be employed by any Marine, knowing him to be such, to sell any Arms, Ammunition, Marine Clothes, or Military Furniture, or any other Articles which, according to the Custom of the Marine Corps, are generally deemed Regimental Necessaries, or any Provisions, Sheets, or other Articles used in Barracks or provided under Barrack Regulations, whether on shore or afloat, and whether the Marine or Marine Deserter or other Person be or be not borne on the Books of any One of Her Majesty's Ships, or be or be not embarked, or who shall have in his or her Possession or Keeping any Arms, Ammunition, Marine Clothes, or Military Furniture, or any other Articles, which, according to the Custom of the Marine Corps, are generally deemed Regimental Necessaries, or any Provisions, Sheets, or other Articles used in Barracks or provided under Barrack Regulations, and shall not give a satisfactory Account how he or she came by the same, or shall change or cause the Colour or Mark of any such Clothes, Appointments, or Necessaries to be changed or defaced, shall

shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with Treble the Value of all or any of the several Articles of which such Offender shall so become possessed; and if any Person having been so convicted shall afterwards be guilty of any such Offence, and shall be convicted thereof by One or more Justices of the Peace, every such Offender shall for every such Offence forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds, and the Treble Value of all or any of the several Articles of which such Offender shall have so become possessed, and shall, in addition to such Forfeiture, be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justice or Justices shall think fit; and upon any Information against any Person for a Second or any subsequent Offence, a Copy of the Conviction, certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same proved to be a true Copy, shall be sufficient Evidence to prove a Conviction for the former Offence; and if any credible Person shall prove, on Oath before a Justice of the Peace or Person exercising like Authority according to the Laws of that Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession or on his or her Premises any Property of the Description hereinbefore described, on or with respect to which any such Offence shall have been committed, the Justice may and he is hereby required to grant a Warrant to search for such Property as in the Case of stolen Goods; and if upon Search any such Property shall be found the same shall and may be seized by the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before such Justice, to be dealt with according to Law.

Penalty on unlawful recruiting.

LXXXIII. All the Persons (except such Recruiting Parties as may be stationed under Military Command) who shall cause to be advertised, posted, or dispersed Bills for the Purpose of procuring Recruits or Substitutes for the Royal Marines, or shall open or keep any House or Place of Rendezvous or Office, or receive any Person therein under such Bill or Advertisement as connected with the Marine Recruiting Service, or shall directly or indirectly interfere therewith, without Permission in Writing from the Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, shall forfeit for every such Offence a Sum not exceeding Twenty Pounds.

Penalty on Officers killing Game.

LXXXIV. For the better Preservation of the Game and Fish in or near such Place where any Officer shall at any Time be quartered, every Officer who shall, without Leave in Writing from the Person or Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish within the United Kingdom, and who upon Complaint thereof shall be, upon Oath of One or more credible Witness or Witnesses, convicted before any Justice, shall for every such Offence forfeit the Sum of Five Pounds.

Limitation of Actions.

LXXXV. If any Action shall be brought against any Member or Members of a Court-martial to be assembled under the Authority of this Act, or of any Act heretofore passed for the Regulation of Her Majesty's Royal Marine Forces while on shore, in respect of the Proceedings or the Sentence thereof, or against any other Person, for anything done in pursuance or under the Authority of this Act, or of any Act heretofore passed for the Regulation of Her Majesty's Royal Marine Forces while on shore, the same shall be brought in some One of the Courts of Record at *Westminster* or *Dublin*, or in the Court of Session in *Scotland*, and shall be commenced within Six Months next after the Cause of Action shall arise, and that it shall be lawful for the Defendant or Defendants therein, or in any such Action now pending, to plead thereto the General Issue, and to give all special Matter in Evidence, on the Trial; and if the Verdict shall be for the Defendant in any such Action, or if the Plaintiff shall become nonsuit or suffer any Discontinuance thereof, or if, in *Scotland*, the Court shall see fit to assoilzie the Defendant or dismiss the Complaint, the Court in which the Matter shall be tried shall allow the Defendant Treble Costs, for the Recovery of which he shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to Defendants.

Recovery of Penalties.

LXXXVI. All Offences for which any pecuniary Penalty or Forfeiture not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, is by this Act imposed, shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and Forfeiture of Value and Treble Value, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered under the Provisions of an Act passed in the Twelfth Year of the Reign of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions*

11 & 12 Vict. c. 43.

victions and Orders: Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned, with or without Hard Labour, for any Time not exceeding Six Calendar Months; which said recited Act shall be used and applied in *Scotland* and in *Ireland* for the Recovery of all such Penalties and Forfeitures as fully to all Intents as if the said recited Act had extended to *Scotland* and *Ireland*, anything in the said recited Act, or in an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in* Ireland, to the contrary notwithstanding; and all such Offences committed in the *British Isles*, or in any of Her Majesty's Dominions beyond the Seas, may be determined, and the Penalties and Forfeitures of Value or Treble Value recovered, before any Justices of the Peace or Persons exercising like Authority, according to the Laws of Her Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed exceeding Twenty Pounds shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British Isles*, or in any other Part of Her Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of Her Majesty's Dominions.

14 & 15 Vict. c. 93.

LXXXVII. One Moiety of every such Penalty or Forfeiture, not including any Treble Value of any Articles, shall go to the Person who shall inform or sue for the same, and the other Moiety, together with the Treble Value of such Articles, or where the Offence shall be proved by the Person who shall inform, then the whole of the Penalty and such Treble Value, shall be paid over and applied in such Manner as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall direct, anything in an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act or Acts of Parliament, to the contrary notwithstanding; and every Justice who shall adjudge any Penalty under this Act shall, within Four Days thereafter at the furthest, report the same, and his Adjudication thereof, to the Secretary of the Admiralty.

Appropriation of Penalties.

5 & 6 W. 4. c. 76.

LXXXVIII. It shall be lawful for any Two Justices of the Peace, within their respective Jurisdictions, to grant or transfer any Licence

Licences of Canteens.

Licence for selling by Retail any Spirit, Beer, Wine, Cider, or Perry to any Person or Persons applying for the same who shall hold any Canteen under any Lease thereof, or by Agreement with any Department or other Authority under the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being, without regard to the Time of Year, or any Notices or Certificates required by any Act in respect of such Licences; and the Commissioners of Excise or their proper Officers within their respective Districts shall also grant or transfer any such Licence as aforesaid; and such Persons holding such Canteens, and having such Licences as aforesaid, may sell therein Victuals, and all such Exciseable Liquors as they shall be licensed and empowered to sell, without being subject for so doing to any Penalty or Forfeiture whatever.

Mode of recording a Marine's Settlement.

LXXXIX. Any Justice in the United Kingdom, within whose Jurisdiction any Marine shall be quartered on shore, may summon such Marine before him, which Summons such Marine is hereby required to obey, and take his Examination in Writing upon Oath touching the Place of his last legal Settlement in *England;* and such Justice shall give an attested Copy of such Examination to the Person so examined, to be by him delivered to his Commanding Officer, to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such legal Settlement before any Justice or at any General or Quarter Sessions of the Peace, although such Marine be dead or absent from the Kingdom: Provided always, that in case any Marine shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy being produced, such Marine shall not be obliged to make any other or further Oath with regard to his legal Settlement, but shall leave with such Justice a Copy of such Examination or a Copy of such attested Copy of Examination, if required.

Administration of Oaths.

XC. All Oaths and Declarations which are authorized or required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace or Magistrate acting as such; and that any Person giving false Evidence or taking a false Oath or Declaration in any Case wherein an Oath or Declaration is authorized or required to be taken by this Act, and being thereof duly convicted, shall be deemed guilty of wilful and corrupt Perjury, and shall be liable to such Pains and Penalties as Persons convicted of wilful and corrupt Perjury are or may be subject and liable to.

Perjury.

Definition of Terms.

XCI. All Clauses and Provisions in this Act contained relating to *England* shall be construed to extend to *Wales* and the Town of

of *Berwick-upon-Tweed;* and the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer of Royal Marines, or who are or shall be listed or in Pay as a Non-commissioned Officer or Marine; and all Clauses and Provisions relating to Marines shall be construed to include Non-commissioned Officers and Drummers, unless when otherwise provided; and all Clauses and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers and Inspectors or other Officers of Police, and High Constables, and other chief Officers and Magistrates of Cities, Towns, Villages, and Places in *England* and *Ireland*, and to all Justices of the Peace, Magistrates of Burghs, Commissioners of Police, and other chief Officers and Magistrates of Cities, Towns, Villages, Parishes, and Places in *Scotland*, who shall act in the Execution of this Act; and all Provisions for billeting Marines in Victualling Houses shall extend and apply to all Inns, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drank in their own Houses or Places thereunto belonging, to all Houses of Persons licensed to sell Beer, Ale, Porter, Cider, or Perry by Retail, to be consumed or drank in their Dwelling Houses or Premises, and to all Houses of Persons selling Brandy, Strong Waters, Cider, or Metheglin, by Retail, in *England* and *Ireland;* and in *Ireland*, when there shall not be found sufficient Room in such Houses, then Marines may be billeted in such Manner as has been heretofore customary: Provided always, that no Officer or Marine shall be billeted in *England* in any private Houses or in any Canteen held or occupied under the Authority of the Ordnance or Marine Department, or upon Persons who keep Taverns only, being Vintners of the City of *London* admitted to their Freedom of that Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences; nor in the House of any Distiller kept for distilling Brandy and Strong Waters; nor in the House of any Shopkeeper whose principal Dealings shall be more in other Goods and Merchandise than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit Tippling in such Houses; nor in the House or Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such.

Marines not to be billeted in private Houses, &c.

XCII. This Act shall be in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and fifty-three until the Twenty-fifth Day of *April* One thousand eight hundred

Duration of Act.

dred and fifty-four inclusive; and within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and the *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and fifty-three until the First Day of *May* One thousand eight hundred and fifty-four inclusive; and within the Garrison of *Gibraltar*, and in *Spain* and *Portugal*, from the Twenty-fifth Day of *July* One thousand eight hundred and fifty-three until the Twenty-fifth Day of *July* One thousand eight hundred and fifty-four inclusive; and in all other Parts of *Europe* where Royal Marine Forces may be serving, and the *West Indies* and *North America*, and *Cape of Good Hope*, from the Twenty-fifth Day of *September* One thousand eight hundred and fifty-three until the Twenty-fifth Day of *September* One thousand eight hundred and fifty-four inclusive; and in all other Places from the Twenty-fifth Day of *November* One thousand eight hundred and fifty-three until the Twenty-fifth Day of *November* One thousand eight hundred and fifty-four inclusive.

SCHEDULE referred to by this Act.

Form of Oaths to be taken by Members of Courts-martial.

YOU shall well and truly try and determine according to the Evidence in the Matter now before you. So help you GOD.

I do swear, That I will duly administer Justice, according to the Rules and Articles for the better Government of Her Majesty's Royal Marine Forces, and according to an Act now in force for the Regulation of the said Forces while on shore, without Partiality, Favour, or Affection, and if any Doubt shall arise which is not explained by the said Articles or Act, according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases: And I further swear, That I will not divulge the Sentence of the Court until it shall be duly approved; neither will I, upon any account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law.

So help me GOD.

Form of Oath of Judge Advocate.

I do swear, That I will not, upon any account whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law; and that I will not, unless it be necessary for the due Discharge of my official Duties, disclose the Sentence of the Court until it shall be duly approved.

So help me GOD.

NOTICE to be given to a Recruit, or left at his Place of Abode, or at the Place at which he stated that it was his Intention to sleep, agreeably to the Provisions of the Marine Mutiny Act, within Forty-eight but not sooner than Twenty-four Hours after his Enlistment, the Hours of Sunday not being counted.

[*Date*] 185 .

you enlisted with

at o'Clock* on the Day of

185 , for the Royal Marines, and if you do not come forward on or before o'Clock* on the for the Purpose of being taken before a Magistrate, either to be attested, or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you have received as a Recruit, and by paying Twenty Shillings as Smart Money, you will be legally adjudged to be a Marine without Attestation, and will be proceeded against as a Deserter.

Signature of the Officer or Non-commissioned Officer commanding the Party. _____

Name of the Recruit _____

Residing at _____

* A.M. or P.M., as the Case may be.

QUESTIONS to be separately put by the JUSTICE to a RECRUIT.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Royal Marine Forces for the Term of [*this Blank to be filled up by the Justice with* "Twelve Years," *if the Person enlisted is of the Age of Eighteen Years or upwards, but if under that Age then the Difference between his Age and Eighteen is to be added to such Twelve Years*], provided Her Majesty should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?

9. At

9. At what Place, on what Day, at what Hour of the Day, and where and by whom, were you enlisted?
10. For what Bounty did you enlist?
11. Have you any Objection to make to the Manner of your Enlistment?
12. Do you now belong to the Militia?
13. Do you belong to any Regiment, or to the Marines, Ordnance, or Navy, or to the Forces of the East India Company?
14. Have you ever served in the Army, Marines, Ordnance, or Navy, or in the Forces of the East India Company?
15. Have you ever been rejected as unfit for Her Majesty's Service, or for the Service of the East India Company, upon any prior Enlistment?

Note.—The Magistrate is directed in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

OATH to be taken by a RECRUIT on Attestation.

I do make Oath, That the above Questions have been separately put to me, that the Answers thereto have been read over to me, and that they are the same that I gave, and are true.

I do also make Oath, That I will be faithful and bear true Allegiance to Her Majesty, Her Heirs and Successors; and that I will, as in Duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors, in Person, Crown, and Dignity, against all Enemies; and will observe and obey all Orders of Her Majesty, Her Heirs and Successors, and of the Generals and Officers set over me.

So help me GOD.

Witness my Hand,

_____ *Signature of the Recruit.*

_____ *Witness present.*

Sworn before me at this Day of One thousand eight hundred and at o'Clock.

_____ *Signature of the Justice.*

CERTIFICATE to be given by the JUSTICE.

Description of

Age, apparently
Height, Feet Inches.
Complexion,
Eyes,
Hair,
Any distinctive Mark.

to wit. } I One of Her Majesty's Justices of the Peace at do hereby certify, That the above is the Description of the Recruit ; and in my Presence all the foregoing Questions were put to the said ; that the Answers written opposite to them are those which he gave to me; and that the Thirtieth and Thirty-sixth Articles of the Rules and Articles for the better Government of Her Majesty's Royal Marine Forces while on shore, against Mutiny and Desertion, were read over to him; that he took the Oath of Allegiance and Fidelity; that he received the Sum of on being attested this Day; that he was not attested until Twenty four Hours had elapsed after he received Enlisting Money; that [*this Blank is to be supplied by the Words* "the Place where he swears that he enlisted is in the Vicinity of my Residence," *or by the Words* "the Place where he swears that he enlisted is within the Division, District, or Place for which I act," *or by the Words* "I am acting within the Division, District, or Place where the Head Quarters of the Recruiting Party is stationed," *as the Case may be*]; that I am not an Officer in the Marines, and that I have given him a Duplicate of this Certificate, signed with my Name.

_____ *Signature of the Justice.*

DECLARATION to be made by a MARINE renewing his Service.

I do declare, That I am at present [*or* was, *as the Case may be*,] in the Division of the Royal Marine Forces; that I enlisted on the Day of for a Term of Years; that I am of the Age of Years; and that I will serve Her Majesty, Her Heirs and Successors, as a Marine, for a further Term of Years [*to be filled up with* Twelve Years, *and in the Case of a Marine about to embark for Foreign Service with such Number of Years as shall be required to complete a total Service of Twenty-*

Twenty-four Years], provided my Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

Declared before me,

_____ *Signature of Marine.*

_____ *Signature of Witness.*

FORM of OATH to be taken by a MASTER whose Apprentice has absconded.

I of do make Oath, That I am by Trade a , and that was bound to serve as an Apprentice to me in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said did on or about the Day of last abscond and quit my Service without my Consent, and that to the best of my Knowledge and Belief the said is aged about Years. Witness my Hand at the Day of One thousand eight hundred and

Sworn before me at this Day of One thousand eight hundred and

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FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an Apprentice.

to wit. } I One of Her Majesty's Justices of the Peace of certify, That of came before me at the Day of One thousand eight hundred and , and made Oath that he was by Trade a , and that was bound to serve as an Apprentice to him in the said Trade, by Indenture dated the Day of , for the Term of Years; and that the said Apprentice did on or about the Day of abscond and quit the Service of the said without his Consent, and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

DESCRIPTION

Marine Mutiny.

DESCRIPTION RETURN of committed to Confinement at on the Day of as Deserter from the Royal Marines.

Age - - - - -	
Height - - - -	Feet. Inches.
Complexion - - - -	
Hair - - - - -	
Eyes - - - -	
Marks - - - -	
Probable Date of Enlistment, and where -	
Probable Date of Desertion, and from what Place - - - -	
Name and Occupation and Address of the Person by whom apprehended -	
* Particulars of the Evidence on which the Prisoner is committed; and showing whether he surrendered or was apprehended, and in what Manner, and upon what Grounds	

* It is important for the Public Service, and for the Interest of the Deserter, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstance herein stated, and has declared in my Presence that he † a Deserter from the above-mentioned Corps.

Signature and Address of Magistrate.

Signature of Prisoner.

Signature of Informant.

† Insert "is" or "is not," as the Case may b

I certify, that I have inspected the Prisoner, and consider him ‡ for Military Service.

Signature of Military Medical Officer, or of Private Medical Practitioner.

‡ Insert "fit" or "unfit," as the Case may be, and if unfit, state the Cause of Unfitness.

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ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

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SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Tatham - - -	Lancaster - -	9th December 1852.
Lynby Wighay - -	Nottingham - -	4th June 1852.
High Callerton - -	Northumberland -	2d November 1852.
Ifield - - -	Sussex - -	23d November 1852.
Kentmere - -	Westmorland - -	5th January 1853.
Norton Common - -	Southampton - -	21st January 1853.
Prestwick Carr - -	Northumberland -	5th January 1853.

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***

the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

The Treasury may cause 8,000,000*l.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1., 4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.

II. It shall be lawful for the said Commissioners of Her Majesty's Treasury from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of Her Majesty's Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Eight Millions; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*, and in another Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to regulate the Office of the Receipt of His Majesty's Exchequer at* Westminster, and in another Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for further regulating the Preparation and Issue of Exchequer Bills.*

The Clauses &c. in recited Acts extended to this Act.

III. All and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Acts shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said several Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities had been particularly repeated and re-enacted in the Body of this Act.

Interest on Exchequer Bills.

IV. The Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

Bank of England may advance 8,000,000*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

V. It shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to Her Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Eight Millions, anything in

an

an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to Their Majesties several Rates and Duties upon the Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against* France, or in any other Act or Acts, to the contrary notwithstanding.

Bills prepared by virtue of this Act to be delivered to the Bank, as Security for such Advances.

VI. It shall be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby authorized and empowered, to cause such Bills as shall be prepared by virtue of this Act to be delivered from Time to Time to the Governor and Company of the Bank of *England*, in such Proportions as the Public Service may require, as Security for any Advance or Advances which may be made to Her Majesty by the said Governor and Company of the Bank of *England* under the Authority of this Act.

Monies raised by Bills to be applied to the Services voted by the Commons.

VII. It shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

VIII. The Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* in the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the said Commissioners of Her Majesty's Treasury for the Time being, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Comptroller General of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to grant a Credit on the Exchequer Funds in the Bank of *England* unto such Person or Persons as shall be named in the said Warrant, which Credit shall be chargeable on and paid out of the growing Produce of the said Consolidated Fund of the next succeeding Quarter to that in which the said Exchequer Bills have been issued, for any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum

or

or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

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tinued in force to the End of the Year One thousand eight hundred and fifty-one; and the said Provision of the said first-recited Act was by an Act of the Fourteenth and Fifteenth Years of Her Majesty's Reign further continued in force to the End of the Year One thousand eight hundred and fifty-two: And whereas it is expedient that the said Provision should be revived and further continued: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Certain Provision of 11 & 12 Vict. c. 26. continued by 12 & 13 Vict. c. 32. and 14 & 15 Vict c. 65. revived and further continued by this Act.

I. That the said Provision of the said first-recited Act of the Eleventh and Twelfth Years of Her Majesty's Reign shall be revived and continued and be in force to the End of the Year One thousand eight hundred and fifty-four.

Recited Act 11 & 12 Vict. c. 32. revived and continued to the End of the Year 1854.

II. And whereas by another Act of the Eleventh and Twelfth Years of Her Majesty's Reign, intituled *An Act to facilitate the Collection of County Cess in* Ireland, Provision is made relating to the Collectors of Grand Jury Cess and the Payment of the same for a limited Time in *Ireland:* And whereas the said last-mentioned Act was by the before-mentioned Act of the Twelfth and Thirteenth Years of Her Majesty further continued in force to the End of the Year One thousand eight hundred and fifty-one, and was again by an Act of the said Fourteenth and Fifteenth Years of Her Majesty's Reign further continued to the End of the Year One thousand eight hundred and fifty-two; and it is expedient to revive and continue the same for a limited Time: Be it therefore enacted, That the last-recited Act of the Eleventh and Twelfth Years of Her Majesty shall be revived and continued to the End of the Year One thousand eight hundred and fifty-four, and that the Provisions of the said Act, and the respective Powers and Authorities by the said Act given to Grand Juries at the Assizes, and to Magistrates at any Sessions, shall be respectively applied and extended to Grand Juries at any Assizes and to Magistrates at any Sessions respectively, as the Case may be, within the Period for which the said Act is hereby revived and continued.

Provisions of 12 & 13 Vict. c. 36. revived and further continued to the End of the Year 1854.

III. And whereas an Act was passed in the Session of Parliament holden in the Twelfth and Thirteenth Years of Her present Majesty's Reign, intituled *An Act to make Provision during the present Year, and to the End of the Year One thousand eight hundred and fifty-one, relating to the Collection of County Cess in* Ireland, *and to the Remuneration of the Collectors thereof;* and said last-recited Act of the Twelfth and Thirteenth Years of Her Majesty's Reign was

was by said Act of the said Fourteenth and Fifteenth Years of Her Majesty's Reign further continued to the End of the Year One thousand eight hundred and fifty-two; and it is expedient that the Provisions of the said last-recited Act of the Twelfth and Thirteenth Years of Her Majesty's Reign should be revived and further continued: Be it therefore enacted, That all the Provisions and Powers of the said last-mentioned Act of the Twelfth and Thirteenth Years of Her Majesty's Reign shall be revived and further continued and be in force until the End of the Year One thousand eight hundred and fifty-four.

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be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Persons who have omitted to qualify themselves as required by the recited Acts indemnified, and allowed further Time.

I. All and every Person or Persons who, at or before the passing of this Act, hath or shall have omitted to take and subscribe the Oaths and Declarations, or otherwise to qualify him, her, or themselves, within such Time and in such Manner as in and by the said Acts or any of them is required, and who, after accepting any such Office, Place, or Employment, or undertaking any Profession or Thing, on account of which such Qualification ought to have been had and is required, before the passing of this Act, hath or have taken and subscribed the said Oaths or made the Declarations required by Law, or who, on or before the Twenty-fifth Day of *March* One thousand eight hundred and fifty-four, or if Parliament be then sitting before the End of the then Session of Parliament, shall take and subscribe the Oaths, Declarations, and Assurance respectively, in such Cases wherein by the said several Acts or any or either of them the said Oaths, Declarations, and Assurance ought to have been taken and subscribed, in such Manner and Form, and at or in such Place or Places, as are appointed in and by the said several Acts or any or either of them, shall be and are hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities incurred or to be incurred for or by reason of any Neglect or Omission, previous to the passing of this Act, of taking or subscribing the said Oaths or Assurance, or making or subscribing the said Declarations respectively, or taking or subscribing the Oath, according to the above-mentioned Acts or any of them, or any other Act or Acts; and such Person or Persons is and are and shall be fully and actually recapacitated and restored to the same State and Condition as he, she, or they were in before such Neglect or Omission, and shall be and be deemed and adjudged to have duly qualified him, her, or themselves, according to the above-mentioned Acts and every of them; and all Elections of, and Acts done or to be done by, any such Person or Persons, or by Authority derived from him, her, or them, are and shall be of the same Force and Validity as the same or any of them would have been if such Person or Persons respectively had taken the said Oaths or Assurance, and made and subscribed the said Declarations respectively, and taken and subscribed the said Oath, according to the Directions of the said Acts and every or any of them; and the Qualification of such Person or Persons qualifying themselves in manner and within the Time appointed by this Act shall be to all Intents and Purposes as effectual, as if such Person or Persons had respectively taken the said Oaths and Assurance, and made and subscribed the said Declarations respectively, and taken and subscribed the said Oath, within the Time and in the Manner appointed by the several Acts before mentioned.

Indemnity to those who have omitted to make and subscribe the

II. And whereas several Persons well affected to Her Majesty's Government, and to the United Church of *England* and *Ireland*, have, through Ignorance of the Law, neglected, or been, by Sickness or other unavoidable Causes, prevented from taking and subscribing

in the Parliament of *Ireland* in the Second Year of Queen *Anne*, intituled *An Act to prevent the further Growth of Popery:* required by the Irish Act, 2 Anne, c. 6.

All Persons who have incurred any Penalty or Incapacity in the said recited Act mentioned, by neglecting to qualify themselves according to the said Act, shall be and are hereby indemnified, freed, and discharged from all Incapacities, Disabilities, Penalties, and Forfeitures incurred by reason of such Omission or Neglect as aforesaid; and no Act done by any of them, not yet avoided, shall be questioned or avoided by reason of such Omission or Neglect, but all such Acts shall be and are hereby declared to be as good and effectual as if such Persons respectively had taken and subscribed the said Oath, and made and repeated and subscribed the said Declaration, at such Time and Place and Manner as in the said Act is mentioned, anything in the said Act to the contrary notwithstanding: Provided always, that such Person or Persons do and shall take and subscribe the said Oaths, and make, repeat, and subscribe the said Declaration, in such Manner and Form and in such Place or Places respectively, as are directed and appointed by the said last-recited Act, on or before the Twenty-fifth Day of *March* One thousand eight hundred and fifty-four, or if Parliament be then sitting before the End of the then Session of Parliament.

III. Provided always, That this Act, or anything herein contained, shall not extend or be construed to extend to indemnify any Person against whom final Judgment shall have been given in any Action of Debt, Bill, Plaint, or Information in any of Her Majesty's Courts of Record, for any Penalty incurred by having neglected to qualify himself within the Time limited by Law. Not to indemnify Persons against whom final Judgment has been given.

IV. Provided also, That nothing contained in this Act shall extend or be construed to extend to exempt any Justice of the Peace within *Great Britain* from the Penalties to which he is subject for acting as such without being possessed of the Qualification required by the Laws now in force. Not to exempt Justices acting without legal Qualification.

V. And whereas the Appointment of divers Clerks of the Peace, Town Clerks, and other public Officers, and the Admission of divers Members and Officers of Cities, Corporations, and Borough Towns, in *Great Britain* and *Ireland*, or the Entries of such Admissions in the Court Books, Rolls, or Records of such Cities, Corporations, and Borough Towns, which by several Acts are directed and required to be stamped, may not have been provided, or the same not stamped, or may have been lost or mislaid: Admissions to Corporations may be stamped after the Time allowed.

For the Relief of such Persons whose Appointments and Admissions or the Entries of whose Admissions as aforesaid may not have been provided, or not duly stamped, or where the same have been lost or mislaid, it shall and may be lawful to and for such Persons, in *Great Britain* or *Ireland*, on or before the Twenty-fifth Day of *March* One thousand eight hundred and fifty-four, or if Parliament be then sitting before the End of the then Session of Parliament, to provide or cause to be provided Appointments and Admissions, or Entries of Admissions, as aforesaid, duly stamped, or in case where such Appointments, Admissions, or Entries of Admissions as aforesaid have been made or provided, but have not been duly stamped, to produce such

such Appointments, Admissions, or Entries of Admissions as aforesaid to the Commissioners of Inland Revenue, to be duly stamped, which such Commissioners are hereby authorized and empowered and required to duly stamp, on Payment of double the Amount of the Duties first payable or to have been paid on such Appointments, Admissions, or Entries as aforesaid, without any other Fine or Forfeiture thereon; and in order to denote the said Duties the said Commissioners are hereby authorized and empowered to use such Stamps as shall have been heretofore provided to denote any former Duties on stamped Vellum, Parchment, and Paper, or to cause new Stamps to be provided for that Purpose, and to do all other Things necessary for putting this Act in execution, in the like and in as full and ample Manner as they or the major Part of them are authorized to put in execution any former Law concerning stamped Vellum, Parchment, and Paper; and such Persons so providing Appointments, Admissions, or Entries of Admissions as aforesaid, duly stamped, or procuring the same to be duly stamped in manner aforesaid, are and shall be hereby confirmed and qualified to act as Clerk of the Peace, Town Clerk, and other public Officer, or Member or Members, Officer or Officers of such Cities, Corporations, and Borough Towns respectively, to all Intents and Purposes, and shall and may hold and enjoy and execute such Office, or any other Office or Offices into which he or they hath or have been elected, notwithstanding his or their Omission, or the Omission of any of their Predecessors in such Cities, Corporations, or Borough Towns as aforesaid, and shall be indemnified and discharged of and from all Incapacities, Disabilities, Forfeitures, Penalties, and Damages by reason of any such Omission; and none of his or their Acts shall be questioned or avoided by reason of the same.

Not to restore Persons to any Office avoided by Judgment.

VI. Provided always, That this Act or anything herein contained shall not extend or be construed to extend to restore or entitle any Person or Persons to any Office or Employment, Benefice, Matter, or Thing whatsoever, already actually avoided by Judgment of any of Her Majesty's Courts of Record already legally filled up and enjoyed by any other Person, but such Office or Employment, Benefice, Matter, or Thing, so avoided or legally filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now or shall at the passing of this Act be legally entitled to the same, as if this Act had never been passed.

General Issue.

VII. In case any Action, Suit, Bill of Indictment, or Information shall after the passing of this Act be brought, carried on, or prosecuted against any Person or Persons hereby meant or intended to be indemnified, recapacitated, or restored, for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever incurred or to be incurred by any such Neglect or Omission, such Person or Persons may plead the General Issue, and upon their Defence give this Act and the special Matter in Evidence upon any Trial to be had thereupon.

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County Elections Polls.

Regulating Time for Polling at Elections for Knights of the Shire.

II. At every contested Election of a Knight or Knights to serve in any Parliament after the First Day of *October* One thousand eight hundred and fifty-three for any County, or for any Riding, Parts, or Division of a County, the Polling shall continue for One Day only, and the Poll shall commence at Eight o'Clock in the Morning and be kept open until Five in the Afternoon of such Day, and the Poll Clerks to be employed at the principal Place of Election and other Places shall, at the final Close of the Day's Poll, enclose and seal their several Books, and shall publicly deliver them, so enclosed and sealed, to the Sheriff, Under Sheriff, or Sheriff's Deputy presiding at such Poll, and every such Deputy who shall have received any such Poll Books shall forthwith deliver or transmit the same, so enclosed and sealed, to the Sheriff or his Under Sheriff, who shall receive and keep all the Poll Books unopened until the re-assembling of the Court on the Day next but One after the Close of the Poll, unless such next Day but One shall be *Sunday*, and then until the *Monday* following, when he shall openly break the Seals thereon, and cast up the Number of Votes as they appear on the said several Books, and shall openly declare the State of the Poll, and shall make Proclamation of the Member or Members chosen not later than Two o'Clock in the Afternoon of the said Day, any Statute to the contrary notwithstanding.

Section 70. of 2 & 3 W. 4. c. 45. to remain applicable to Elections.

III. The Provisions concerning the Adjournment of the Poll in Cases of Riot or open Violence, and other the Provisions of Section Seventy of the said Act of the Second Year of King *William* the Fourth, shall be and remain applicable to every such contested Election as aforesaid, as if the said Section were re-enacted in this Act, the Words "the Day of Polling" being substituted therein for the Words "One of the Two Days of Polling."

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1853.

ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

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"And I do further consent, that whenever the Cruizers of "the *British* Government fall in with any of my Vessels, or "those belonging to my Subjects or Dependants, suspected of "being engaged in the Slave Trade, they may detain and search "them, and in case of their finding that any of the Vessels afore-"said have violated this Engagement by the Exportation of "Slaves from the Coasts of *Africa*, or elsewhere, upon any "Pretext whatever, they (the Government Cruizers) shall seize "and confiscate the same."

And whereas it is expedient that effectual Provision should be made for carrying into execution the Provisions of the said Agreement: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Power for Commanders of Ships of War, &c. to visit, &c. Vessels belonging to the Chief of Sohar, or of his Subjects, suspected of being engaged in the Slave Trade.

I. That it shall be lawful for the Commanders and other Officers of Her Majesty's Ships of War, or of the *East India* Company, to visit and detain, in any Seas, any Vessel belonging to *Syed Syf bin Hamood*, the Chief of *Sohar*, in *Arabia*, or to any of his Subjects or Dependants, which shall upon reasonable Grounds be suspected of being engaged in the Traffic in Slaves, or having been fitted out for that Purpose, and to send or carry away such Vessel, together with its Master, Sailors, Passengers, Slaves, and Cargo, for the Purpose of such Vessel being brought to Adjudication as herein-after mentioned.

As to the Trial and Condemnation of Vessels engaged in the Slave Trade.

II. It shall be lawful for the High Court of Admiralty of *England*, and for all Courts of Vice Admiralty in any Dominions of Her Majesty beyond the Seas, including those Courts of Vice Admiralty within the Territories under the Government of the *East India* Company, to take cognizance of and try any such Vessel which shall be detained or captured for the Violation of the said Agreement, and to condemn any such Vessel to Her Majesty, and adjudge as to the Slaves found therein, in like Manner and under such and the like Rules and Regulations as are contained in any Act or Acts of Parliament in force in relation to the Suppression of the Slave Trade by *British*-owned Ships, as fully as if all the Powers and Provisions contained in such Acts were re-enacted in this Act as to such High Court of Admiralty or Courts of Vice Admiralty.

Persons giving false Evidence deemed guilty of Perjury.

III. Every Person, who shall wilfully and corruptly give false Evidence in any Examination or Deposition had or Affidavit taken in any Proceeding under the said Engagement or this Act, shall be deemed guilty of Perjury, and being thereof convicted shall be subject and liable to all the Punishments, Pains, and Penalties to which

Persons

Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury, either in the Place where the Offence was committed, or in any Colony or Settlement of Her Majesty near thereto in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in *England*, and that in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench, the Venue may be laid in the County of *Middlesex*.

In case of Prosecution in England, Venue may be laid in Middlesex.

IV. The Pendency of any Suit or Proceeding instituted for the Condemnation or Restitution of any Ship or Cargo, or Slaves taken, seized, or detained by virtue of the said Agreement, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar or given in Evidence under the General Issue, and shall be deemed in any Court whatever to be a complete Bar in any Action, Suit, or Proceeding, whether instituted by any Person or Persons for the Recovery of any such Ship, Vessel, or Cargo, or of any Damage or for any Injury sustained thereby, or by the Persons on board the same, in consequence of any Capture, Seizure, or Detention, or anything done under or in pursuance of the Provisions of the said Agreement.

Pendency of Suits to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained.

V. Any Ship or Vessel which shall be condemned as aforesaid may be taken into Her Majesty's Service, upon Payment of such Sum as the Lord High Admiral, or the Lords Commissioners of the Admiralty, shall deem a proper Price for the same, or if not so taken shall be broken up and demolished, and the Materials thereof shall be publicly sold in separate Parts, and the Proceeds thereof shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury may appoint to receive the same.

Vessels condemned to be sold for Her Majesty's Service or broken up.

VI. Where any Ship or Vessel employed or engaged in such illicit Traffic in Slaves, in violation of the said Agreement, shall be seized by any Ship or Vessel belonging to Her Majesty or the *East India* Company, and afterwards condemned, there shall be paid to the Captors the net Proceeds to which Her Majesty is entitled, the same to be distributed in the Manner herein-after directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

Captors of Vessels shall, after the same are condemned, be entitled to the Proceeds belonging to Her Majesty.

VII. There shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships, or the Commanders, Officers, and Crews of the Ships of the *East India* Company, a Bounty of Five Pounds for every Man, Woman, and Child Slave seized and found on board any Ship or Vessel taken and condemned in pursuance of the Provisions of the said Agreement and of this Act; such Bounty to be issued and

Payment of Bounty for Slaves captured.

and paid by Order from the Commissioners of Her Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid, in such Manner and Proportions as Her Majesty shall think fit to order, by any Order in Council made or to be made, or by any Proclamation for that Purpose.

Additional Bounty on Tonnage of Slave Ships captured and demolished.

VIII. Where any Ship or Vessel which shall have been seized and condemned under the Provisions of the said Agreement shall have been or shall be demolished, and the Materials thereof publicly sold in separate Parts, as well as her Cargo, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships, or of those of the *East India* Company, in addition to the Amount of the Proceeds of such Sale as herein-before mentioned, a further Bounty on the Tonnage of such Ship or Vessel at the Rate of Thirty Shillings for every Ton of such Tonnage.

Where no Slaves are on board a Ship seized and condemned an additional Bounty on Tonnage to be paid.

IX. Where any Ship or Vessel, having no Slaves on board, shall have been seized and condemned under the Provisions of the said Agreement, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships, or those of the *East India* Company, an additional Bounty upon the Tonnage of such Ship or Vessel at the Rate of Four Pounds for every Ton; and the Tonnage of all such Vessels shall be ascertained according to the Mode of ascertaining the Admeasurement of *British* Vessels, either by the principal Officer of the Customs at the Port where the Vessel may be at the Time of Condemnation, or in default thereof by the best Evidence which can be obtained: Provided always, that in every Case in which any Ship or Vessel shall be seized with Slaves on board, in which the Bounty calculated upon the Number of Slaves shall be less than the Bounty calculated upon the Tonnage, the Commanders of Her Majesty's Ships, or of those of the *East India* Company, making the Seizure, may elect to take the Bounty calculated according to Tonnage, instead of the Bounty which would be payable upon the Number of Slaves on board.

Bounties to be paid out of the Consolidated Fund.

X. All Bounties payable under this Act shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* to the Commanders, Officers, and Crews of Her Majesty's Ships, and of the Ships of the *East India* Company; and such Bounties shall be issued and paid by Order from the Commissioners of Her Majesty's Treasury.

Proof of Tonnage.

XI. In order to entitle the Captors to receive the said Bounty Money, the Tonnage of the Ship or Vessel so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy, duly certified, of the Sentence or Decree of Condemnation,

demnation, or by such documentary or other Evidence as they may deem satisfactory.

Copy of Sentence of Condemnation to be produced to the Treasury.

XII. In order to entitle the Captors to receive the said Bounty Money on Slaves, the Number of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

One Moiety of the Bounty only to be paid in certain Cases.

XIII. Where any Slaves, or Persons treated as Slaves, shall be seized on board any Ship or Vessel taken and condemned in pursuance of the said Agreement and of this Act, but who shall not have been delivered over in consequence of Death, Sickness, or other inevitable Circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, to direct Payment of One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over.

Parties claiming Benefit under this Act may resort to the Court of Admiralty.

XIV. Any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Share of the Proceeds of any Vessel confiscated in pursuance of the Provisions of the aforesaid Agreement, may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf; and that it shall be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act, and also to enforce any Decrees or Sentences of the said Vice Admiralty Courts relating to any such Seizure.

Regulations and Penalties respecting Prize Agents Accounts extended to Bounties, &c. under this Act.

XV. All the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize and the Per-centage due thereon to *Greenwich Hospital*, shall be extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of Her Majesty's Ships and Vessels of War.

Treasury may order Payment of Costs awarded for

XVI. Where any Ship or Vessel belonging in whole or in part to the before-mentioned Chief or his Subjects or Dependants shall have been detained and brought to Adjudication by any Officers of

Vessels detained but not condemned.

Her Majesty the Queen of *Great Britain* and *Ireland*, or of those of the *East India* Company, and the said Ship shall be restored by Sentence of the Court, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of any Costs or Damages which may be duly awarded: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made, when lawfully called upon either by the Parties interested therein, or by Order of the said Commissioners of Her Majesty's Treasury.

Treasury may repay to the Seizor of any Vessel not condemned the Expenses incurred by him.

XVII. When any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships, or of those of the *East India* Company, and Judgment shall be given against the Seizor, or when such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of such Costs and Expenses as the Seizor may have incurred in respect of such Seizure, or any proportional Part thereof.

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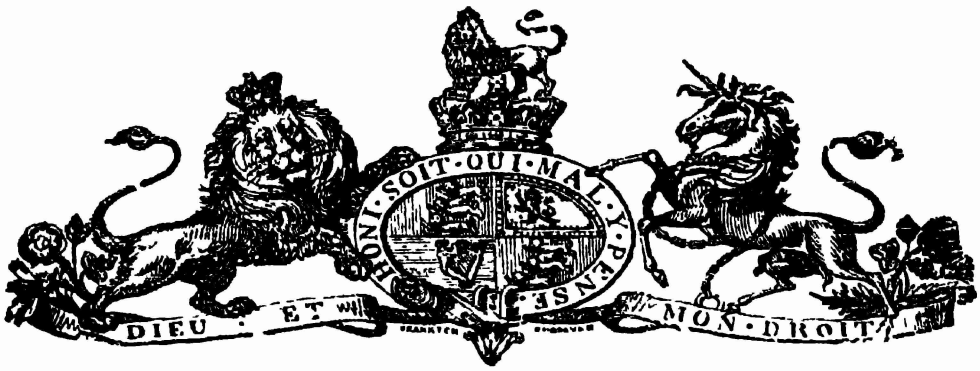

ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

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ARTICLE II.—In order more completely to accomplish the Object of the present Treaty, the Two High Contracting Parties agree to authorize some of the Ships of War of their Navies respectively to visit and search Merchant Vessels of the Two Nations which may be met with at Sea, within the Limits to be herein-after specified; and which, by the Direction of their Course, or upon other reasonable Grounds, shall afford Motives for suspecting that they are engaged in the Slave Trade; and likewise, under the Circumstances mentioned in this Treaty, to detain, carry away, or send away such Vessels, in order that they may be brought to Trial in the Manner herein-after agreed upon.

ARTICLE III.—The Limits within which the Merchant Vessels of the Two Nations shall be subject to the Visit and Search mentioned in the preceding Article shall be the following:

1st.—From the Thirty-fifth Degree of West Longitude, reckoned from the Meridian of *London*, to the Coast of *Africa*, and from the Fifteenth Degree of North Latitude to the Twentieth Degree of South Latitude.

2d.—All round the Island of *Madagascar*, to the Extent of Thirty Leagues from that Island.

3d.—All along the East Coast of *Africa*, from Latitude Ten Degrees North of the Equator to the Twenty-sixth Degree of South Latitude, and to the Extent of Thirty Leagues from that Coast.

4th.—The same Distance all round from the Coasts of the Island of *Cuba*.

5th.—The same Distance from the Coasts of the Island of *Puerto Rico*, and

6th.—The same Distance from the Coasts of *Brazil*.

It is, however, understood that a suspected Vessel descried and begun to be chased by the Cruizers, whilst within the said Space of Thirty Leagues, may be searched by them beyond those Limits if, without ever having lost Sight of her, they should succeed in coming up with her at a greater Distance from any of the above-mentioned Coasts.

ARTICLE IV.—All Merchant Vessels of the Two Nations which shall be visited in virtue of this Treaty, and which shall be found either with Slaves on board or equipped for Slave Trade, shall be detained, and shall be sent or carried to One of the Ports under *British* Jurisdiction, if the Vessel detained should be *British*, or to One of the Ports of *New Granada*, if the Vessel detained should be *Granadian*, to be tried by the Courts which take

take cognizance of the Crime of Piracy, according to the Laws of the respective Countries.

And such Vessels, with the whole of their Cargoes, shall be subject to the Penalty of Confiscation for having been found engaged in the Slave Trade.

ARTICLE V.—Every Merchant Vessel, *British* or *Granadian*, which shall be visited in virtue of the Provisions contained in the Articles II. and III. of the present Treaty may lawfully be detained, and be sent or brought before the proper Tribunals, according to the Nation to which it may belong, if any One or more of the Things herein-after specified shall be found in her Outfit or Equipment:

1st.—Hatches with open Gratings, instead of the close Hatches which are usual in Merchant Vessels.

2d.—Divisions or Bulkheads in the Hold or on Deck in greater Number than are necessary for Vessels engaged in lawful Trade.

3d.—Spare Plank fitted for being laid down as a Second or Slave Deck.

4th.—Shackles, Bolts, or Handcuffs.

5th.—A larger Quantity of Water in Casks or Tanks than is requisite for the Consumption of the Crew of the Vessel as a Merchant Vessel.

6th.—An extraordinary Number of Water Casks, or of other Receptacles for holding Liquid; unless the Master shall produce a Certificate from the Custom House at the Place from which he cleared Outwards, stating that sufficient Security had been given by the Owners of such Vessel that such extra Quantity of Casks or of other Receptacles for holding Liquid should only be used to hold Palm Oil, or for other Purposes of lawful Commerce.

7th.—A greater Quantity of Mess Tubs or Kids than are requisite for the Use of the Crew of the Vessel as a Merchant Vessel.

8th.—A Boiler or other Cooking Apparatus of an unusual Size, and larger or fitted for being made larger than requisite for the Use of the Crew of the Vessel as a Merchant Vessel, or more than One Boiler or other Cooking Apparatus of the ordinary Size.

9th.—An extraordinary Quantity of Rice, of the Flour of *Brazil*, Manioc or Cassada commonly called Farinha, of Maize, or of *Indian* Corn, or of any other Article of Food whatever, beyond what might probably be requisite for the Use of the Crew.

10th.—A

10th.—A Quantity of Mats or Matting greater than is necessary for the Use of the Vessel as a Merchant Vessel.

The Articles enumerated in the 8th, 9th, and 10th Paragraphs, when found on board, shall not expose the Vessel to Detention or Trial, whenever such Articles shall appear as entered in the Manifest as Part of the Cargo for Trade.

Any One or more of the several Things above enumerated, if proved to have been found on board, shall be considered as *primâ facie* Evidence of the actual Employment of the Vessel in the Slave Trade; and the Vessel shall thereupon be condemned, and be declared lawful Prize, unless clear and indisputable Evidence on the Part of the Master or Owners shall establish to the Satisfaction of the Court that such Vessel was at the Time of her Detention or Capture employed in some legal Pursuit; and that such of the several Things above enumerated as were found on board her at the Time of her Detention were needed for legal Purposes on that particular Voyage.

Article VI.—In order to regulate the Mode of carrying into execution the Visit of Merchant Vessels of the Two Nations by the Cruizers charged with the Duty of preventing the Slave Trade, it is agreed that the Commanders of such Cruizers shall be furnished with Copies of this Treaty in *English* and in *Spanish*, and with Copies of the Instructions contained in the Appendix annexed thereto, which Instructions shall be considered as an integral Part of the present Treaty.

Article VII.—If the Commanding Officer of any of those Ships of the Navies of *Great Britain* and of the *Granadian* Republic respectively, which shall be duly commissioned according to the Provisions of this Treaty, shall deviate in any respect from the Stipulations of the said Treaty, or from the Instructions annexed to it, the Government which shall conceive itself to be wronged thereby shall be entitled to demand Reparation; and in such Case the Government to which such Commanding Officer may belong binds itself to cause Inquiry to be made into the Subject Matter of the Complaint, and to inflict upon the said Officer a Punishment proportioned to the Transgression committed.

Article VIII.—The Two High Contracting Parties mutually engage to make good the Damages and Losses which may be incurred by the illegal Detention of the Vessels of their respective Subjects or Citizens, it being understood that the Government to which the capturing Ship belongs shall pay the Damages and Losses

Losses occasioned to the captured Vessel; and that this Payment shall be made within the Term of One Year, reckoning from the Day on which the proper Tribunal shall have pronounced a definitive Sentence on the Vessel for the Detention of which such Compensation is claimed.

ARTICLE IX.—If any of the Things specified in Article V. of this Treaty shall be found in any Merchant Vessel detained under this Treaty, no Compensation for Losses, Damages, or Expenses consequent upon the Detention of such Vessel shall in any Case be granted either to her Master or to her Owner, or to any other Person interested in her Equipment or Cargo, even though the proper Tribunal should not pronounce any Sentence of Condemnation in consequence of her Detention.

ARTICLE X.—It is hereby agreed between the Two High Contracting Parties, that in all Cases in which a Vessel shall be detained under this Treaty by their respective Cruizers as having been engaged in the Slave Trade, or as having been fitted out for the Purposes thereof, and shall in consequence thereof be adjudged and condemned by the proper Tribunal, the said Vessel shall, immediately after Condemnation, be broken up entirely into several Parts, so as to be useless as a Vessel, and shall be sold in separate Parts after having been so broken up.

ARTICLE XI.—The Visit and Detention of Vessels in pursuance of Article II. of this Treaty shall be effected only by such of the Ships of the *British* and *Granadian* Navies respectively as shall be provided with the special Instructions contained in the Appendix annexed to this Treaty; and each of the Two High Contracting Parties shall from Time to Time communicate to each other the Names of the Ships of War which are furnished with such Instructions, the Force of each Ship, and the Names of their several Commanders.

ARTICLE XII.—It is by no means to be understood that by the Provisions of the present Treaty *New Granada* shall be under any Obligation to fit out Cruizers expressly to aid in the Pursuit of Vessels engaged in the Slave Trade.

ARTICLE XIII.—All the Slaves who are found on board a Merchant Vessel detained either by *British* or *Granadian* Cruizers in conformity with the Stipulations of this Treaty shall be placed at the Disposal of Her *Britannic* Majesty's Government at the Time and at the several Ports which shall be stipulated

in the Appendix annexed to this Treaty, and shall immediately be set at liberty, and shall be secured in the permanent Enjoyment of their Freedom.

ARTICLE XIV.—The High Contracting Parties to the present Treaty mutually agree, that if at the Expiration of Twenty-four Years, reckoned from the Date of the Exchange of the Ratifications thereof, it shall appear desirable to either of the Contracting Parties, either on account of the Trade in Slaves having ceased, or for other Reasons, that the present Treaty should cease and determine, it shall be lawful for that One of the Contracting Parties to give Notice thereof to the other Contracting Party; and the Treaty shall cease and determine accordingly at the End of One Year from the Date of the Receipt of such Notice.

And it is clearly understood, that if, in pursuance of the Right which the High Contracting Parties reserve to themselves by this Article, the present Treaty should be annulled at any Time anterior to the total and final Cessation of the Traffic in Slaves, the Obligations contracted towards *Great Britain* by the Republic of *New Granada* by Article XIII. of the Treaty of One thousand eight hundred and twenty-five, " to co-operate with *Great Britain* for the total Abolition of the Slave Trade," will nevertheless remain in full Force until such total and final Abolition is effected.

ARTICLE XV.—The present Treaty, consisting of Fifteen Articles, shall come into operation on the Seventh of *March* One thousand eight hundred and fifty-two. The Treaty shall be ratified, and the Ratifications thereof exchanged in *Bogotá*, within the Space of Nine Months from this Date, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have thereunto affixed their respective Seals.

Done at *Bogotá* this Second Day of *April* in the Year of our Lord One thousand eight hundred and fifty-one.

Daniel F. O'Leary. (L.S.)
Vict. de D. Paredes. (L.S.)

APPENDIX,

Which contains the INSTRUCTIONS for the SHIPS of the BRITISH and GRANADIAN NAVIES employed in preventing the SLAVE TRADE.

ARTICLE I.—The Commander of any Ship belonging to the Navy of Her *Britannic* Majesty or of the Republic of *New Granada*,

Granada, which shall be furnished with these Instructions, shall have a Right to visit and search, within the Limits mentioned in Article III. of the Treaty signed this Day, any *British* or *Granadian* Merchant Vessel suspected of being engaged in Slave Trade, or of being fitted out for the Purposes thereof; and if from the Search it shall appear that the Suspicions entertained are well founded, such Commander shall have the Right of detaining such Vessel, and shall thereupon, as soon as possible, carry or send the Vessel so captured to any One of the Ports herein-after mentioned which shall be nearest to the Place where the Vessel was detained, or which such Commander shall, upon his own Responsibility, think can be soonest reached from such Place, in order to be tried according to the Provisions of Article IV. of this Treaty.

Article II.—Whenever a Ship of War of either of the Two High Contracting Parties, duly authorized as aforesaid, shall meet a Merchant Vessel liable to be visited under the Provisions of the said Treaty, the Search of such Vessel shall be conducted in the mildest Manner, and with every Attention which ought to be observed between allied and friendly Nations; and the Search shall in all Cases be made by an Officer holding a Rank not lower than that of Lieutenant in the *British* or *Granadian* Navies respectively (unless the Command shall by reason of Death or otherwise have devolved upon an Officer of inferior Rank), or by the Officer who at the Time shall be Second in command of the Ship by which the Search is made.

Article III.—The Commander of any Ship of War of the Two Nations, duly authorized as aforesaid, who may detain any Merchant Vessel in pursuance of the present Instructions, shall leave on board the Vessel so detained the Master, the Mate, or Boatswain, and Two or Three at least of the Crew thereof, the whole of the Slaves, if any, and all the Cargo.

The Captor shall at the Time of Detention draw up in Writing an authentic Declaration, which shall exhibit the State in which he found the detained Vessel; and such Declaration shall be signed by himself, and shall be given in or sent in, together with the captured Vessel, to the Court before which such Vessel shall be carried or sent for Adjudication.

The Captor shall deliver to the Master of the detained Vessel a certified List of the Papers seized on board the same, as well as a Statement of the Number of Slaves, if any, found on board at the Moment of Detention.

In

In the authenticated Declaration which the Captor is hereby required to make, as well as in the certified List of the Papers seized, the Captor shall insert his own Name, the Name of the capturing Ship, the Latitude and Longitude of the Place where the Detention shall have been made, and the Number of Slaves, if any, found on board the Vessel at the Time of her Detention.

The Officer in charge of the Vessel detained shall, at the Time when he brings the Vessel's Papers to the proper Tribunal, deliver into the Court a Paper, signed by himself, and verified on Oath, stating any Changes which may have taken place in respect to the Vessel, her Crew, the Slaves, if any, and her Cargo, between the Period of her Detention and the Time of delivering in such Paper.

Article IV.—The Slaves shall not be disembarked till after the Vessel which contains them shall have arrived at the Place of Adjudication, and even after the Vessel has arrived at such Place they shall not be landed without the Permission of the proper Tribunal, except in the Cases herein-after specified in respect to Slaves found on board *Granadian* Vessels.

But if urgent Reasons, deduced from the Length of the Voyage, from the State of Health of the Slaves, or from other Causes, should require that either the whole or a Portion of the Slaves should be disembarked, or should be transhipped before the Vessel can arrive at the Port at which the proper Tribunal is established, or after her Arrival there, and before Adjudication, the Commander of the capturing Ship may take upon himself the Responsibility of so disembarking or transhipping the Slaves: Provided that such Necessity, and the Causes thereof, be stated in a Certificate in proper Form, and that this Certificate be entered at the Time in the Log Book of the detained Vessel.

Article V.—All such *British* Vessels as shall be detained on the *Brazilian* Station by *Granadian* Cruizers shall be carried and delivered up to the *British* Jurisdiction at the Colony of *Demerara.*

All such *British* Vessels as shall be detained on the *West India* Station by *Granadian* Cruizers shall be carried and delivered up to the *British* Jurisdiction at *Port Royal* in *Jamaica.*

All such *British* Vessels as shall be detained on the *Madagascar* Station, or on the East Coast of *Africa*, by *Granadian* Cruizers, shall be carried and delivered up to the *British* Jurisdiction

diction at the *Cape of Good Hope*, or at the *Mauritius*, as may be most convenient.

All such *British* Vessels as shall be detained on the *African* Station by *Granadian* Cruizers shall be carried and delivered up to *British* Jurisdiction at *Bathurst* on the River *Gambia*.

All such *Granadian* Vessels as shall be detained on the *Brazilian* and *West India* Stations, as well as on those of *Madagascar* and *Africa*, by *British* Cruizers, shall be carried and delivered up to the *Granadian* Jurisdiction at any of the Ports belonging to the Republic of *New Granada*, except when Slaves shall be found on board at the Time of the Capture, in which Case the Vessel shall, in the first instance, be sent or carried to deposit the Slaves at the Port to which the Vessel would have been taken for Trial if she had been detained under the *British* Flag. The Vessel, with the rest of her Cargo and Crew, shall afterwards be sent on and delivered to the *Granadian* Jurisdiction at any of the Ports belonging to the Republic, as above stipulated.

The undersigned Plenipotentiaries have agreed, in conformity with Article VI. of the Treaty signed by them on this Day, the Second Day of *April* in the Year of our Lord One thousand eight hundred and fifty-one, that the present Appendix, which contains Five Articles, shall be annexed to the said Treaty, and shall be considered as an integral Part thereof.

The Second Day of *April* in the Year of our Lord One thousand eight hundred and fifty-one.

Daniel F. O'Leary. (L.S.)
Vict. de D. Paredes. (L.S.)

Ratifications of Treaty exchanged on the 16th December 1851.

And whereas the said Treaty was ratified between Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the Republic of *New Granada*, and such Ratifications exchanged at *Bogotá* on the Sixteenth Day of *December* One thousand eight hundred and fifty-one: And whereas it is expedient and necessary that effectual Provision should be made for carrying into execution the Provisions of the said Treaty and Appendix thereto: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Officers commanding Ships of Her Majesty, or of the Republic of New Gra-

I. That it shall be lawful for any Officer commanding any Ship of War of Her Majesty, or of the Republic of *New Granada*, not below the Rank of Lieutenant of the Royal Navy (unless the Command shall by reason of Death or otherwise be held by an Officer of inferior

nada, being duly authorized, empowered to visit, search, and detain Merchant Ships within certain Limits suspected of being engaged in the Slave Trade.

inferior Rank), or by the Officer who at the Time shall be Second in command of the Ship, and who shall be duly instructed and authorized, and furnished, according to the several Provisions of the said Treaty and Appendix, to exercise within the Waters described, and according to the several Provisions, Exceptions, and Conditions contained in the said Treaty and the Instructions thereto annexed, the Right of visiting and searching any Merchant Vessel of either of the said Two Nations liable to Suspicion, and suspected of having engaged in or of having been employed in the Slave Trade, or of having been fitted out for the Purposes of such Traffic, and upon sufficient Grounds to detain and send, or carry in and deliver over without Delay, any such Vessel, together with its Master, Crew, Slaves, Cargo, and Papers, to the Authorities appointed for the Purposes of the said Treaty by the respective Governments of the said Two Nations, and to One of the Jurisdictions in the said Instructions mentioned, in order that Proceedings may be instituted thereupon, conformably to the respective Laws of the said Two Countries; and all such Commanders of Her said Majesty's Ships are hereby authorized and required, in the Exercise of such Rights of visiting, searching, detaining, sending, carrying in, and delivering as aforesaid, to execute, perform, and comply with the said several Provisions and Instructions of the said Treaty as apply thereto respectively.

In case of Granadian Officers detaining British Vessels, Proceedings to be conducted in Name of Her Majesty.

II. Where any such Officer of the Republic of *New Granada* shall send, carry, or deliver over as aforesaid any such Merchant Vessel, wholly or in part owned by any Subject or Subjects of Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland*, all and every Proceeding instituted in the Tribunals herein-after mentioned in regard to such Merchant Vessel, and its Crew, Cargo, and Slaves, and in respect to the Cause, shall be conducted in the Name of Her said Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* by some Person duly thereunto authorized; (that is to say,) all Ships, Cargoes, and Slaves which shall be detained by the Cruizers of the Republic of *New Granada*, and delivered up to the Jurisdiction of Her Majesty, either at the Colony of *Demerara*, *Port Royal* in *Jamaica*, the *Cape of Good Hope*, or, if detained on the *African* Station, shall be carried and delivered up to *British* Jurisdiction at *Bathurst* on the River *Gambia*, and shall be proceeded against and adjudicated in the Vice-Admiralty Court established in the said Colonies respectively; and the Judges and other Officers of the said Vice-Admiralty Courts respectively are hereby authorized to take cognizance thereof accordingly; and all such *Granadian* Vessels as shall be detained on the *Brazilian* and *West India* Stations, as well as on those of *Madagascar* and *Africa*, by *British* Cruizers,

In case of Granadian Vessels being detained by British Cruizers.

Cruizers, shall be carried and delivered up to the *Granadian* Jurisdiction at any of the Ports belonging to the Republic of *New Granada*, except when Slaves shall be found on board at the Time of the Capture; in which Case the Vessel shall, in the first instance, be sent or carried to deposit the Slaves at the Port to which the Vessel would have been taken for Trial if she had been detained under the *British* Flag; and that the Vessel, with the rest of her Cargo and Crew, shall afterwards be sent and delivered to the *Granadian* Jurisdiction at any of the Ports belonging to that Republic, as above stipulated.

As to the Trial of Vessels seized.

III. It shall be lawful for the High Court of Admiralty of *England*, as also for the several Courts of Vice-Admiralty herein-before mentioned, to take cognizance of and try any such Vessel which shall be detained or captured for the Violation of the said Treaty, and to condemn any such Vessel to Her Majesty, and adjudge as to the Slaves found therein, in like Manner and under such and the like Rules and Regulations as are contained in any Act or Acts of Parliament in force in relation to the Suppression of the Slave Trade by *British*-owned Ships, as fully as if all the Powers and Provisions contained in such Acts were re-enacted in this Act as to such High Court of Admiralty or Courts of Vice-Admiralty.

Persons giving false Evidence deemed guilty of Perjury.

IV. Every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition or Affidavit taken in any Proceeding under the said Treaty or this Act shall be deemed guilty of Perjury, and being thereof convicted shall be subject and liable to all the Pains and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury, either in the Place where the Offence was committed, or in any Colony or Settlement of Her Majesty near thereto in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in *England;* and in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench, the Venue may be laid in the County of *Middlesex*.

Pendency of Suits to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained.

V. The Pendency of any Suit or Proceeding instituted for the Condemnation or Restitution of any Ship or Cargo, or Slaves taken, seized, or detained by virtue of the said Treaty, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar, or given in Evidence under the General Issue, and shall be deemed in any Court whatever to be a complete Bar in any Action, Suit, or Proceeding, whether instituted by any Person or Persons for the Recovery of any such Ship, Vessel, or Cargo, or of any Damage, or for any Injury sustained thereby, or by

by the Persons on board the same, in consequence of any Capture, Seizure, or Detention, or anything done under or in pursuance of the Provisions of the said Treaty.

Vessels equipped for Traffic in Slaves to be deemed engaged in the Slave Trade.

VI. If any of the Particulars specified in the Fifth Article of the said Treaty shall be found in the Outfit and Equipment of or on board any such Merchant Vessel engaged or to be engaged in such Traffic, and visited and detained in pursuance of the said Treaty, such Vessel, unless Proof be given to the contrary, shall be taken to have been engaged in the said Traffic, or to have been fitted out for the Purposes of such Traffic, and to be equipped and employed for the Purposes declared unlawful.

As to Distribution of the Portion of Proceeds belonging to Her Majesty of the Vessels condemned.

VII. In case any such Merchant Vessel, wholly or in part owned by *British* Subjects as aforesaid, shall be seized by any Officer of Her Majesty duly authorized, and, with the Goods, Wares, and Merchandise, be confiscated according to the Laws of this Country, and the Provisions of the said Treaty, the Portion of the Proceeds arising from the Sale thereof belonging to Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury may direct or appoint to receive the same; and it is hereby directed that One Moiety thereof shall be paid to and for the Use of the Captors thereof; and that the same, after deducting all necessary Expenses, shall be distributed to and amongst the Officers and Crew of the Ship in the Manner hereafter directed for the Distribution of Bounties on Slaves taken on board the said Vessel.

Vessels condemned to be broken up.

VIII. Any Ship or Vessel which shall be condemned as aforesaid shall be broken up and demolished, and the Materials thereof shall be publicly sold in separate Parts, together with the Goods, Wares, and Merchandise laden therein.

Payment of Bounty on Tonnage of Slave Ships captured and demolished.

IX. Where any Ship or Vessel which shall have been seized and condemned under the Provisions of the said Treaty shall have been or shall be demolished, and the Materials thereof publicly sold in separate Parts, as well as her Cargo, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make and making such Seizures, and in addition to the Amount which may be payable in respect of Her Majesty's Portion of the Proceeds of such Sale as herein-before mentioned, a further Bounty on the Tonnage of such Ship or Vessel, at the Rate of Thirty Shillings for every Ton of such Tonnage.

X. Where

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X. Where any Ship or Vessel having no Slaves on board shall have been seized and condemned under the Provisions of the said Treaty, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make and making such Seizure an additional Bounty upon the Tonnage of such Ship or Vessel, at the Rate of Four Pounds for every Ton; and the Tonnage of all such Vessels shall be ascertained according to the Mode of ascertaining the Admeasurement of *British* Vessels, either by the principal Officer of the Customs at the Port where the Vessel may be at the Time of Condemnation, or in default thereof by the best Evidence which can be obtained: Provided always, that in every Case in which any Ship or Vessel shall be seized with Slaves on board, in which the Bounty calculated upon the Number of Slaves shall be less than the Bounty calculated upon the Tonnage, the Commanders of Her Majesty's Ships making the Seizure may elect to take the Bounty calculated according to Tonnage, instead of the Bounty which would be payable upon the Number of Slaves on board.

Where no Slaves are on board a Ship seized and condemned, an additional Bounty on the Tonnage to be paid.

XI. In order to entitle the Captors to receive the said Bounty Money, the Tonnage of the Ship or Vessel so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, or by such documentary or other Evidence as they may deem satisfactory.

Proof of Tonnage.

XII. There shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make Seizures under the aforesaid Treaty a Bounty of Five Pounds of lawful Money of *Great Britain* for every Man, Woman, and Child Slave seized and found on board a *British* or *Granadian* Ship or Vessel taken and delivered over and condemned in pursuance of the Provisions of the said Convention and of this Act, such Bounty to be issued and paid by Order from the said Commissioners of Her Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid in such Manner and Proportions as Her Majesty, Her Heirs and Successors, shall think fit to order and direct by any Order or Orders in Council, or by any Proclamation or Proclamations to be made for that Purpose.

Payment of Bounty.

XIII. All Bounties payable under this Act shall be paid, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to the Commanders, Officers, and Crews of Her Majesty's Ships; and such Bounties shall be issued and paid by Order from the Commissioners of Her Majesty's Treasury.

Bounties to be paid out of the Consolidated Fund.

As to Mode of obtaining such Bounty.

XIV. In order to entitle the Captors to receive the said Bounty Money, the Numbers of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

Where Slaves taken shall not have been condemned, or shall not have been delivered over, the Treasury may allow One Moiety of the Bounty.

XV. Where any Slaves, or Persons treated, dealt with, carried, kept, or detained as Slaves, shall be taken or seized on board any *British* or *Granadian* Ship or Vessel, in pursuance of the Provisions of the said Treaty and of this Act, but who shall not have been condemned, or shall not have been delivered over in consequence of Death, Sickness, or other inevitable Circumstance, it shall and may be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, to direct Payment of One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over and condemned.

Parties claiming Benefit under this Act may resort to the Court of Admiralty for Judgment.

XVI. Any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Share of the Proceeds of any *Granadian* Vessel confiscated in pursuance of the Provisions of the aforesaid Treaty, shall and may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf; and that it shall and may be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act, and enforce any Decrees or Sentences of the said Vice-Admiralty Courts relating to any such Seizure.

Regulations to which Prize Agents are liable, extended to Bounties, &c. under this Act.

XVII. All the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize, and the Per-centage due thereon to *Greenwich* Hospital, shall be and are hereby extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of Her Majesty's Ships or Vessels of War.

Where illegal Detention made, Treasury may award Compensation.

XVIII. Where any illegal Visit and Detention, or any Visit and Detention without sufficient Cause of Suspicion, or any Abuse or Vexation, shall have taken place and have been made by any Officer of Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland*, as is mentioned in the Eighth Article of the said Treaty, it

it shall be lawful for the Commissioners of Her Majesty's Treasury to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of any Costs and Damages which may be duly awarded, according to the Provisions of the said Article: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made, when lawfully called upon by Order of the said Commissioners of Her Majesty's Treasury.

Where Judgment shall be given against the Seizor, or the Seizure shall be relinquished, the Treasury may direct Payment of the Seizor's Costs.

XIX. When any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make Seizures under the aforesaid Treaty, and Judgment shall be given against the Seizor, or such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of such Costs and Expenses as the said Seizor may have incurred in respect of such Seizure, or any proportionate Part thereof.

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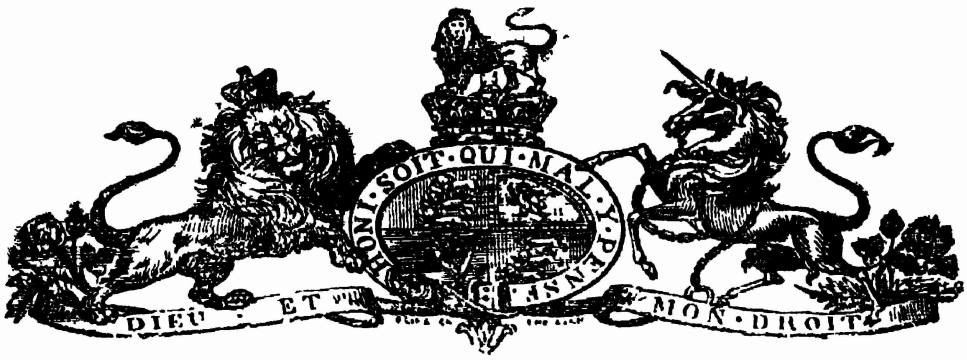

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Revenues of the Crown, in order to obtain the Means of immediately effecting such Improvements, and such last-mentioned Monies were so applied; and with Part thereof certain Lands and Hereditaments were purchased for the Purposes of such Improvements, of which Lands a Part not being wanted now remains and is liable to be sold: And whereas the Money so borrowed on the Security of the said Land Revenues, and the Amount since paid for Interest thereon, out of the Income of the said Land Revenues, are to be repaid out of the Monies charged as aforesaid on the *London Bridge* Approaches Fund, and out of the Monies to arise from the Sale and the Income till Sale of the surplus Lands and Hereditaments purchased as aforesaid, and out of a Sum of Thirty thousand Pounds and Interest secured by Mortgage from the *Westminster* Improvement Commissioners, but subject to the Charges herein-after mentioned, and it is considered that such Means of Repayment will be ample for such Purpose; but inasmuch as the Monies charged on the *London Bridge* Approaches Fund are only payable out of the accruing Produce thereof, and the other Monies so applicable are not yet realized, it is expedient to make Provision for the Discharge, out of the Consolidated Fund of *Great Britain* and *Ireland*, of the Monies charged on the Hereditaments belonging to the Crown, and the Monies from Time to Time paid out of the Income of the Land Revenues for Interest as aforesaid: And whereas the Monies so charged on the *London Bridge* Approaches Fund were made subject to the Payment of the Sum of Fifty thousand Pounds and Interest, borrowed and advanced as directed by an Act passed in the Session of Parliament held in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter One hundred and twenty-four, to the *Westminster* Improvement Commissioners, and also of the said Sum of Thirty thousand Pounds and Interest, raised and lent to the *Westminster* Improvement Commissioners as aforesaid: And whereas by an Act passed in the Session of Parliament held in the Fourth Year of the Reign of Her present Majesty, Chapter Twelve, and by another Act passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, Chapter One hundred and three, Two several Sums of Thirty thousand Pounds and Thirty thousand Pounds and Interest were directed to be paid out of the Monies charged on the *London Bridge* Approaches Fund, as in the said Acts is mentioned, towards certain Improvements in *Southwark*, but the same have not yet been paid: And whereas by an Act passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter Forty-two, the said Hereditaments purchased by the Commissioners of Woods with the Monies so borrowed for

for the Purposes of such Improvements as aforesaid, and which were not wanted for the Purposes of the new Streets, are now vested in the Commissioners of Her Majesty's Works and Public Buildings, and their Successors, as incorporated by such Act, and herein-after called "The Commissioners of Works:" Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Treasury to make Advances out of the Consolidated Fund to Commissioners of Works for the Purpose of paying off Principal and Interest of Sums charged on the Land Revenues.

I. The Commissioners of Her Majesty's Treasury, and herein-after called "The Commissioners of the Treasury," shall make Advances, out of the growing Produce of the Consolidated Fund of *Great Britain* and *Ireland*, to the Commissioners of Works, for the Purposes after mentioned, of any Monies not exceeding in the whole the Sum of One million two hundred and twenty thousand Pounds; that is to say,

Such Monies as shall be sufficient to pay all Monies which at the passing of this Act may have been paid or advanced out of the Income of the Land Revenues for the Payment of any Part of the Interest of the Monies so borrowed on the Security of the Land Revenues as aforesaid, the said Monies to be paid by the Commissioners of Works to the Commissioner of Woods having charge of the Land Revenues so charged as aforesaid, and to be by him carried to the Account of the Income of the Land Revenues of the Crown; and also such further Sums as shall be sufficient to pay and keep down all Interest to become due after the passing of this Act on the Principal Sums charged on the Land Revenues as aforesaid till the said Principal Monies shall be discharged; also such Monies as shall be sufficient to discharge the Principal Monies charged on the Land Revenues as aforesaid, such Monies so charged to be paid off according to such Priorities and at such Times as the Commissioners of the Treasury shall direct, so as that all such Principal Monies shall be discharged by the Means aforesaid within Two Years from the passing of this Act.

On Payment of Principal and Interest the Land Revenues to be released therefrom, and reconveyed to Her Majesty.

II. Such Monies for the Discharge of the Principal Monies, and also such further Sums as shall be sufficient to pay and keep down all Interest to become due on such Principal Monies after the passing of this Act, shall be paid to the Commissioners of Works, to be applied in discharge of the said Principal Monies and Interest charged on the said Land Revenues; and on the Payment of any such Principal Monies and Interest as aforesaid the Land Revenues which were so charged with the Payment thereof shall be released therefrom, and reconveyed to Her Majesty, Her Heirs and Successors.

III. All

Metropolitan Improvements
(Repayment out of Consolidated Fund).

Charges on the London Bridge Approaches Fund to be paid to the Commissioners of Works, and carried to the Consolidated Fund.

III. All the Monies so charged on the said *London Bridge* Approaches Fund as aforesaid, after paying the said Sum of Fifty thousand Pounds, and Thirty thousand Pounds so borrowed and lent to the *Westminster* Improvement Commissioners as aforesaid, and Interest thereon as aforesaid, or so much as shall remain unpaid at the passing of this Act, shall be paid to the Commissioners of Works, and shall be paid by them into the Bank of *England* to the Account of the said Consolidated Fund, freed and discharged from all the said Monies directed to be paid or retained thereout in respect of the *Southwark* Improvements aforesaid.

Parties to account.

IV. The Parties liable to pay over the said *London Bridge* Approaches Fund so charged as aforesaid shall account to the Commissioners of Works for the same until all Monies charged thereon shall be paid in all respects as may be directed by the Commissioners of the Treasury.

Sum due from the Westminster Improvement Commissioners vested in the Commissioners of Works, &c.

V. The said Sum of Thirty thousand Pounds and Interest so secured by the *Westminster* Improvement Commissioners shall from the passing of this Act be vested in the Commissioners of Works so incorporated as aforesaid, and their Successors, with full Power to call in and compel Payment thereof, and the said Monies, when received, shall be by them paid into the Bank of *England* to the Account of the said Consolidated Fund.

Property in the Line of the new Streets to be sold.

VI. The Commissioners of Works shall sell, when and as the said Commissioners of the Treasury may direct, all the said Lands and Hereditaments so vested in them as aforesaid, and which were purchased in the Formation of the said Improvements as aforesaid, and not used for such Streets as aforesaid.

Until Sale the Commissioners of Works may let, and compel the Performance of Covenants and Agreements.

VII. The Commissioners of Works, with Consent of the Commissioners of the Treasury, till Sale, may lease, and may perform and compel the Performance of any Agreement for Sale or for Lease already entered into, and may recover all Rents and Monies due on any Contract or otherwise in respect of the said Hereditaments, in all respects as they might have done if this Act had not passed.

Power to Commissioners of Works to sell or lease, subject to special Conditions as to Title.

VIII. The Commissioners of Works may sell, lease, or agree to lease, under any special Conditions as to Title, and may alter or rescind any existing or future Contract for Sale or for a Lease, and shall not be bound to prove that any Act hereby authorized to be done by them was done with the Assent of the Commissioners of the Treasury.

IX. All

Metropolitan Improvements
(Repayment out of Consolidated Fund).

IX. All Monies to arise from any Sale as aforesaid, or in respect of any Lease granted or to be granted, or to be received on rescinding any Contract, or in respect of any Damages or Penalty, and all Rents and Profits of the said Hereditaments due or to become due after the passing of this Act till sold, or in the Hands of the Commissioners of Works at the passing of this Act, in respect of any Sales or Rents or Profits of the said Hereditaments, or in respect of Interest on the Charges on the *London Bridge* Approaches Fund, shall be paid by the Commissioners of Works into the Bank of *England* to the Account of the said Consolidated Fund.

Monies arising from Sales, &c. to be paid to Consolidated Fund.

X. The Receipts of the First Commissioner of Works, or of any Two of the said Commissioners of Works, for all Monies payable to the Commissioners of Works under the Provisions of this Act, shall be sufficient Discharges to the Parties paying the same.

Receipts of Commissioners of Works to sufficient Discharges.

XI. Inasmuch as the whole of the said Monies so charged on the *London Bridge* Approaches Fund as aforesaid are hereby directed to be paid to the Account of the Consolidated Fund freed from the said Monies directed to be paid in respect of the *Southwark* Improvements, and the Interest thereof, the Commissioners of the Treasury shall, out of the Consolidated Fund, immediately after the passing of this Act, pay unto the Commissioners of Works such a Sum of Money as, under the Provisions of the aforesaid Acts, shall be payable for Principal and Interest in respect of the said Two Sums of Thirty thousand Pounds and Thirty thousand Pounds provided for the *Southwark* Improvements, and as if the same were then applicable and payable for such Improvements; and such Monies shall be applied for such Improvements as aforesaid, according to the Provisions of the said Acts or of any other Act hereafter to be passed, and as if the said Monies were payable under the Provisions of the said Acts; and such Monies, until required for the Purposes aforesaid, shall be invested by the Commissioners of Works either in the Purchase of Exchequer Bills, or in the Purchase of Three *per Centum* Consolidated Bank Annuities, or of some other of the Public Stocks or Funds of *Great Britain*, as the Commissioners of Works, with Consent of the Commissioners of the Treasury, shall determine, and such Stocks, Funds, or Exchequer Bills shall be sold when required for the Purposes of the aforesaid Improvements: Provided nevertheless, that in case, under the Provisions of the aforesaid Acts or of any other Act to be hereafter passed, the said Monies shall not be applicable or required for the Purposes of the *Southwark* Improvements within Seven Years from the passing of this Act, the said Exchequer Bills, Funds, or Stock, as

Principal and Interest provided for the Southwark Improvements to be invested in Government Securities until required for the Purpose of Improvements.

If not required within Seven Years the Securities to be sold, and the Produce paid

to the Consolidated Fund.

as the Case may be, shall be sold, and the Proceeds paid to the Account of the Consolidated Fund; and the Income of the said Exchequer Bills, Funds, or Stock, until applicable as aforesaid, shall from Time to Time be invested as is herein-before provided as to the Principal Monies by way of Accumulation, and the Produce of such Investment applied as the Monies to arise from the first-mentioned Investment shall be applicable.

First Commissioner or any Two Commissioners of Works may act.

XII. All Acts hereby authorized to be done by the Commissioners of Works may be done by the First Commissioner of Works for the Time being, or by any Two of the said Commissioners of Works.

Annual Account of Receipts, &c. to be presented to Parliament.

XIII. An annual Account of the Receipts and Disbursements of the Consolidated Fund under the Authority of this Act, made up to the First of *January* in each Year, shall be submitted by the Commissioners of the Treasury to both Houses of Parliament, within Three Calendar Months after the Meeting of Parliament in every Year, specifying the Sources from which each Receipt has been derived.

Short Title.

XIV. It shall be sufficient for all Purposes to cite this Act as "The Metropolitan Improvements (Repayment out of Consolidated Fund) Act, 1853."

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Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Provision in 14 & 15 Vict. c. 76. directing Publication of Abstract of Claims in provincial Papers repealed.

I. That so much of the said Act as directs that an Abstract of the said Claims shall be published for Two consecutive Weeks in some Two or more of the Newspapers usually published or circulated in the County of *Southampton* shall be and the same is hereby repealed in all respects as if such Direction had not been contained in the said Act, and the not having published such Abstract in such Newspapers as aforesaid shall in nowise prejudice the Claims made or the Right of objecting thereto.

Time for holding First Meeting to receive Objections to Claims enlarged.

II. That the Time for holding the First Meeting of the Verderers to receive Objections to such Claims as aforesaid shall be some Day, to be appointed by the said Verderers, within Six Calendar Months from the Twenty-fourth Day of *December* One thousand eight hundred and fifty-two, being the Date of the Insertion of the Abstract of such Claims in the *London Gazette*, anything in the said Act contained to the contrary notwithstanding; and all Objections made before the Expiration of the Day to be appointed by the Verderers in pursuance of this Act for the receiving such Objections shall be as effectual as if made in pursuance of the Provisions of the said Act; and any Duplicate of an Objection to a Claim, if delivered at the Abode of the Claimant or his Agent as by the said Act is provided Seven Days at least before the Day of the Delivery of such Objections to the Verderers at an adjourned Meeting for receiving such Objections, shall be as valid as if such Duplicate had been delivered at least Seven Days before the First Meeting of the said Verderers to receive Objections to Claims; and it shall be lawful for any One or more of the Verderers, or for their Clerk in the Absence of the Verderers, if thereunto required by or on behalf of Her Majesty or of any Person interested, to adjourn the Meeting for receiving such Objections from Time to Time; provided always, that the last of such adjourned Meetings shall be held on some Day not later than the First Day of *August* One thousand eight hundred and fifty-four.

Time for completing Register of Claims extended to Oct. 1, 1854.

III. That the Time for completing the Register of Claims and Objections by the Verderers as by the said Act is provided shall be and is hereby extended to the First Day of *October* One thousand eight hundred and fifty-four.

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named in the Record or not.

Proceeding, or the Husband or Wife of any Party, whether he or she shall be individually named in the Record or Proceeding or not; but nothing herein contained shall render any Person, or the Husband or Wife of any Person, who in any Criminal Proceeding is charged with the Commission of any indictable Offence, or any Offence punishable on summary Conviction, competent or compellable to give Evidence for or against himself or herself, his Wife or her Husband, excepting in so far as the same may be at present competent by the Law and Practice of *Scotland*, or shall render any Person compellable to answer any Question tending to criminate himself or herself, or shall in any Proceeding render any Husband competent or compellable to give against his Wife Evidence of any Matter communicated by her to him during the Marriage, or any Wife competent or compellable to give against her Husband Evidence of any Matter communicated by him to her during the Marriage.

This Act not to apply to Cases of Adultery, &c.

IV. Nothing herein contained shall apply to any Action, Suit, or Proceeding instituted in *Scotland* in consequence of Adultery, or for dissolving any Marriage, or for Breach of Promise of Marriage, or in any Action of Declarator of Marriage, Nullity of Marriage, putting to Silence, Legitimacy, or Bastardy, or in any Action of Adherence or Separation.

Adducing of Party as a Witness not to have Effect of Reference to his Oath.

V. The adducing of any Party as a Witness in any Cause or Proceeding by the adverse Party shall not have the Effect of a Reference to the Oath of the Party so adduced: Provided always, that it shall not be competent to any Party who has called and examined the opposite Party as a Witness thereafter to refer the Cause or any Part of it to his Oath, and that in all other respects the Right of Reference to Oath shall remain as at present established by the Law and Practice of *Scotland*.

Not to affect Authority of Courts as to Judicial Examination.

VI. Nothing herein contained shall alter or affect the Authority or Practice of the Courts in *Scotland* as to Judicial Examination.

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such other Provisions as shall seem meet.

the said first-mentioned Act of Parliament for or concerning the Sale, Alienation, and Disposal of the said Clergy Reserves, and for or concerning the Investment of the Proceeds of all Sales then made or thereafter to be made of such Reserves, and for or concerning the Appropriation and Application of such Proceeds and Investments, the Interest and Dividends thereof, the Interest accruing on Sales on Credit of such Reserves, the Rent of such Reserves for the Time being unsold, and all other the Profits of or accruing from such Reserves, and (notwithstanding the said first-mentioned Act of Parliament) to make such other Provisions for or concerning the Sale, Alienation, or Disposal of the said Clergy Reserves and such Investments as aforesaid, and for or concerning the Appropriation and Application of such Clergy Reserves, Proceeds, Investments, Interest, Dividends, Rents, and Profits, as to the said Legislature may seem meet.

The said Legislature not authorized to interfere with existing Interests.

II. Provided, That it shall not be lawful for the said Legislature, by any Act or Acts thereof as aforesaid, to annul, suspend, or reduce any of the annual Stipends or Allowances which have been already assigned and given to the Clergy of the Churches of *England* and *Scotland*, or to any other Religious Bodies or Denominations of Christians, in *Canada*, (and to which the Faith of the Crown is pledged,) during the natural Lives or Incumbencies of the Parties now receiving the same, or to appropriate or apply to any other Purposes such Part of the said Proceeds, Investments, Interest, Dividends, Rents, and Profits as may be required to provide for the Payment of such Stipends and Allowances during such Lives and Incumbencies.

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examination and Re-examination, as therein directed: And whereas, by reason of the Alterations in the Practice of taking the Examination and Depositions of Witnesses established by the said last-recited Act, it is expedient that the Oath to be taken by the future Examiners of the said Court should be altered: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

After passing of this Act, the Oath herein named to be taken by all Examiners.

I. From and after the passing of this Act every Examiner now and hereafter to be appointed shall and he is hereby required to take and subscribe in open Court, instead of the Oath set forth as aforesaid in the said first-recited Act, an Oath to the Purport or Effect following; (that is to say,)

'I *A.B.* do swear, That I will, according to the best of my Skill and Ability, truly and faithfully exercise and discharge the Office of an Examiner of the High Court of Chancery, whereunto I am now admitted, and truly, faithfully, and without Partiality to any or either of the Parties in the respective Causes take the Examinations and Depositions of all Witnesses examined before me, pursuant to and in conformity with the Rules and Regulations of the High Court of Chancery, now in force or hereafter to be provided for the Examination of Witnesses in Causes and other Proceedings depending in said Court.

'So help me GOD.'

Qualification of Examiners.

II. Any Person to be hereafter appointed to the Office of Examiner of the High Court of Chancery shall be a practising Barrister in some or One of the Courts of Law or Equity of not less than Seven Years standing in the Profession: Provided always, that nothing herein contained shall extend or apply to any Special Examiner who may be appointed under the Provisions of the said last-recited Act.

As to Payment of Salaries and retiring Pensions.

III. And whereas by the said last-recited Act, Section Sixty-five, Provision was made for the Payment of the Salaries of the Examiners of the said Court, and for their retiring Pensions, and Doubts have arisen respecting the Construction thereof, and it is expedient that such Doubts should be removed, and the Payment of the Salaries and retiring Pensions of Examiners appointed after the passing of the said Act provided for: Be it therefore enacted, That it shall be lawful for the Lord Chancellor and he is hereby empowered to order and direct to be paid to each Examiner of the High Court of Chancery appointed since the passing of the above-recited Act, or hereafter to be appointed, out of the Fund entitled "The Suitors Fee Fund," the annual Sum of One

Office of Examiner (Court of Chancery).

One thousand five hundred Pounds in lieu and instead of the Sums now payable under the several Acts of Parliament now in force relating to the Salaries of the Examiners of the said Court, such annual Sum of One thousand five hundred Pounds to commence and be payable from the Appointment to Office of the Examiner so appointed or to be appointed; and that it shall be lawful for the Lord Chancellor to order to be paid to every such Examiner, out of the aforesaid Suitors Fee Fund, an Annuity not exceeding Three Fourths of the above-mentioned Sum, to commence and take effect immediately after the Period when such Examiner shall resign or vacate his Office, and to continue during the Period of his natural Life: Provided always, that no Annuity granted to any Person having executed the Office of such Examiner shall be valid unless such Person shall have held such Office for a Period of Twenty Years, and be not under Sixty-five Years of Age, or unless the Lord Chancellor shall be satisfied by Evidence to be laid before him that such Person is afflicted with some permanent Infirmity disabling him from the due Execution thereof: Provided also, that if at any Time any of the said Examiners shall hold any Office or Employment connected with any Court of Law or Equity, or under the Crown, or in any public Department under the Crown, and if the Salary attached to such Office or Employment, or any retiring Pension or Allowance in respect thereof, shall equal or exceed in Amount the retiring Pension payable under this Act, such last-mentioned retiring Pension shall, during the Continuance of such Examiner in such Office or Employment, or so long as he shall be in the Receipt of any retiring Pension or Allowance in respect thereof equal to or greater than his retiring Pension under this Act, cease to be payable to such Examiner; and if the Salary attached to such Office, or the retiring Pension in lieu thereof, shall be less than the Amount of such Examiner's retiring Pension under this Act, such retiring Pension under this Act shall be reduced by the Amount of such Salary, or of such retiring Pension or Allowance, as the Case may be.

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Pounds *per Centum* Annuities, called and known by the Name of the Old *South Sea* Annuities and by the Name of the New *South Sea* Annuities, the Capital Stock of the Three Pounds *per Centum* Annuities, (created by an Act passed in the Twelfth Year of King *George* the
12 G. 1. c. 2. First, intituled *An Act for granting to His Majesty the Sum of One million Pounds, to be raised by way of Lottery,*) called and known by the Name of the Bank Annuities One thousand seven hundred and twenty-six, and the Capital Stock of the Three Pounds *per Centum* Annuities, (created by an Act passed in the Twenty-
24 G. 2. c. 2. fourth Year of King *George* the Second, intituled *An Act for granting to His Majesty the Sum of Two millions one hundred thousand Pounds, to be raised by Annuities and a Lottery, and charged on the Sinking Fund, redeemable by Parliament,*) called and known by the Name of the Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, shall be paid off and redeemed; and have also resolved, that every Person, Body Politic and Corporate, who now is or hereafter may be interested in the Capital Stocks of any of the said Three Pounds *per Centum* Annuities, who shall, in manner herein-after directed, give Notice at any Time on or before *Friday* the Third Day of *June* One thousand eight hundred and fifty-three of his Assent to receive other Government Securities in lieu and in place of the said Capital Stocks of the said Annuities, instead of being paid in Money, shall, at the Option of the said Parties, receive for every One hundred Pounds thereof Eighty-two Pounds Ten Shillings in a new Stock of Three and a Half *per Centum* Annuities, which said Annuities shall be paid at the Rate of Three Pounds Ten Shillings *per Centum per Annum* until the Fifth Day of *January* One thousand eight hundred and ninety-four, from and after which Day the said Annuities shall be subject to Redemption by Parliament; or for every One hundred Pounds of the said Capital Stocks of Annuities the Sum of One hundred and ten Pounds in a new Stock of Two and a Half *per Centum* Annuities, which said Annuities shall be paid at the Rate of Two Pounds Ten Shillings *per Centum per Annum* until the Fifth Day of *January* One thousand eight hundred and ninety-four, from and after which Day the said Annuities shall be subject to Redemption by Parliament; or for every Sum of One hundred Pounds of the Capital Stocks of the said Three Pounds *per Centum* Annuities, an Exchequer Bond for the like Amount, payable to Bearer, and carrying Interest at the Rate of Two Pounds Fifteen Shillings *per Centum per Annum*, payable half-yearly on the First Day of *March* and the First Day of *September* in every Year, until the First Day of *September* in a Year to be named in such Bond, and not later than First *September* One thousand eight hundred and sixty-four inclusive, and thenceforth Two Pounds Ten Shillings

Shillings *per Centum per Annum*, payable half-yearly in like Manner, until and including the First of *September* One thousand eight hundred and ninety-four, and thereafter to be subject to Redemption at Par, at the Option of the Holder, or at the Option of the Commissioners of Her Majesty's Treasury, as shall be named in such Bond; and have also resolved, that the Commissioners of Her Majesty's Treasury be authorized and empowered to fix the Number of Years during which the Interest of Two Pounds Fifteen Shillings *per Centum* shall be payable on such Bond, subject to the Limitation of the foregoing Resolution, and likewise to determine whether such Bond, after the First of *September* One thousand eight hundred and ninety-four, shall be redeemable at their Option only, or shall also be redeemable at the Option of the Holder, and that the said Commissioners shall give Notice in the *London Gazette* of what they shall determine in these respects as soon as may be after the passing of any Act in pursuance of these Resolutions; and have also resolved, that the Dividends and Interest payable on such New Three Pounds Ten Shillings *per Centum* Annuities, on such New Two Pounds Ten Shillings *per Centum* Annuities, and on such Exchequer Bonds, shall be charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland;* and have also resolved, that the Dividends now payable by Law on Fifth *July* and Fifth *January* in every Year on the said Capital Trading Stock and on the said Capital Stock of New *South Sea* Annuities, Annuities One thousand seven hundred and twenty-six, and Annuities One thousand seven hundred and fifty-one, shall continue payable until the Fifth *January* One thousand eight hundred and fifty-four inclusive, and no longer; that the Dividends now payable by Law on Tenth *October* and Fifth *April* in every Year on the said Capital Stock of Old *South Sea* Annuities shall continue payable until Fifth *April* One thousand eight hundred and fifty-four inclusive, and no longer; and have also resolved, that if the Corporation of the Governor and Company of Merchants of *Great Britain* trading to the *South Seas* and other Parts of *America*, and for encouraging the Fishery, shall at any Time on or before *Friday* the First Day of *July* signify to the Commissioners of Her Majesty's Treasury their Assent to commute and exchange the said Capital Trading Stock, or any Part thereof, into any One or more of the said New Three Pounds Ten Shillings *per Centum* Annuities, New Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, the said Corporation shall be permitted to make such Commutation and Exchange upon the same Terms and subject to the like Conditions as are granted to the Person or Persons, Bodies Politic or Corporate, interested in or entitled

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to the Capital Stock of Three Pounds *per Centum* Annuities now proposed to be paid off and redeemed; and have also resolved, that all and every Person or Persons, Bodies Politic or Corporate, possessed of any Part of the said Three Pounds *per Centum* Annuities, and who shall desire to signify his, her, or their Assent to receive the said New Three Pounds Ten Shillings *per Centum* Annuities, New Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds in lieu thereof, shall on or before the Third Day of *June* One thousand eight hundred and fifty-three, but within the usual Hours of transacting Business at the Bank of *England* or at the *South Sea* House, by themselves or some Agent or Agents for that Purpose duly authorized, signify to the Governor and Company of the Bank of *England*, or to the Governor and Company of Merchants of *Great Britain* trading to the *South Seas*, as the Case may be, such Assent in Writing under his, her, or their Hand or Hands, or the Hand or Hands of his, her, or their Agent or Agents, together with the Amount of his, her, or their respective Share or Shares in the said Three Pounds *per Centum* Annuities, and which said Assent shall be entered in a Book or Books to be opened and kept by the said Governor and Company of the Bank of *England*, and by the said Governor and Company of Merchants of *Great Britain* trading to the *South Seas*, for that Purpose; and in case of any Transfer of such Share or Shares of such Annuities, or any Part or Parts thereof, after such Assent, the Part or Parts of such Annuities so transferred shall be entered in the said Book or Books separately from the said Three Pounds *per Centum* Annuities, in respect of which no such Assent shall be signified; and every such Person or Persons so assenting, or his, her, or their Assigns, or the Executors or Administrators of such Assigns, under any such Transfer, shall be entitled for every One hundred Pounds Capital Stock of the said Three Pounds *per Centum* Annuities to Eighty-two Pounds Ten Shillings of the Capital Stock of New Three Pounds Ten Shillings *per Centum* Annuities, or to One hundred and ten Pounds of the Capital Stock of the New Two Pounds Ten Shillings *per Centum* Annuities, or to an Exchequer Bond of One hundred Pounds bearing Interest as aforesaid; provided always, that if any Person or Persons holding any such Three Pounds *per Centum* Annuities shall not be within the Limits of the United Kingdom at any Time between the Eighth Day of *April* and the Third Day of *June* One thousand eight hundred and fifty-three, both inclusive, but shall be in any other Part of *Europe*, it shall be lawful for such Person or Persons to signify such Assent at any Time before the Thirtieth Day of *July* One thousand eight hundred and fifty-three; and if any such Person or Persons shall not at any Time between the Eighth Day of *April* One thousand eight hundred and fifty-three and the Thirtieth Day of *July* One thousand eight hundred and

and fifty-three be within any Part of *Europe*, it shall be lawful for him, her, or them to signify such Assent at any Time before the First Day of *February* One thousand eight hundred and fifty-four, such Person or Persons proving to the Satisfaction of the Governor or Deputy Governor of the Bank of *England*, or to the Governor of the *South Sea* Company, his, her, or their Absence from the United Kingdom or out of *Europe* as above specified, and that his, her, or their Share or Shares of such Three Pounds *per Centum* Annuities stood in his, her, or their Name or Names respectively, or in the Name or Names of any One or more Trustee or Trustees on his, her, or their Behalf, in the Books of the Governor and Company of the Bank of *England*, or Governor and Company of Merchant Traders to the *South Seas*, on the Third Day of *June* One thousand eight hundred and fifty-three; provided also, that such Person or Persons so absent from the United Kingdom or out of *Europe* shall signify such his, her, or their Assent within Ten Days after his, her, or their Return to the United Kingdom; and have also resolved, that Provision shall be made for paying off such Proprietor or Proprietors of any of the said Capital Trading Stock or Capital Stocks of Annuities before mentioned as shall not signify his Assent to accept and receive New Three Pounds Ten Shillings *per Centum* Annuities, or New Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds in lieu thereof; and have also resolved, that every Person or Persons, Body Politic or Corporate, who now is or hereafter may be interested in or entitled to any Part of the Capital Stock of the Consolidated Three Pounds *per Centum* Annuities, or of the Capital Stock of the Reduced Three Pounds *per Centum* Annuities, payable at the Bank of *England* or at the Bank of *Ireland*, and who shall at any Time after the passing of an Act in pursuance of these Resolutions, and before the Tenth Day of *October* One thousand eight hundred and fifty-three, signify to the Governor and Company of the Bank of *England*, or to the Governor and Company of the Bank of *Ireland*, by an Entry to be made in Books to be opened for such Purpose, his Desire to commute and exchange any or all of the said Annuities to which he may be entitled into any One or more of the said New Three Pounds Ten Shillings *per Centum* Annuities, New Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, shall be permitted to make such Commutation and Exchange upon the same Terms and subject to the like Conditions as are granted to the Person or Persons, Bodies Politic or Corporate, interested in or entitled to the Capital Stocks of Three Pounds *per Centum* Annuities proposed to be paid off and redeemed as aforesaid; and have also resolved, that nothing herein contained shall extend to authorize the Commutation of the said Consolidated Three Pounds *per Centum* Annuities, or the said Reduced Three Pounds *per*

Centum Annuities, into the said New Two Pounds Ten Shillings *per Centum* Annuities after the Amount entered for Commutation into such New Two Pounds Ten Shillings *per Centum* Annuities in the said Books of the Bank of *England* and Bank of *Ireland* shall have reached the Sum of Thirty Millions; and that the Power of Commutation of the said Three Pounds *per Centum* Stocks shall thereafter be limited to the Two other Options herein-before given; that is to say, the Option of Exchange for Three Pounds Ten Shillings *per Centum* Annuities, and the Option of Exchange for Exchequer Bonds; and have also resolved, that the Commissioners of Her Majesty's Treasury be authorized and empowered to issue at any Time between the Fifth of *April* One thousand eight hundred and fifty-three and the Fifth of *April* One thousand eight hundred and fifty-four Exchequer Bonds, payable to Bearer, upon the like Terms and Conditions as herein-before described, and after public Notice in the *London Gazette* from Time to Time to sell such Exchequer Bonds, or any Part thereof, and to apply the Proceeds in redeeming any Part of the Capital Trading Stock or Capital Stock of Annuities now proposed to be paid off and redeemed, or in purchasing and cancelling any Exchequer Bills, or in exchanging such Bonds for Exchequer Bills, upon such Terms as the said Commissioners shall think proper, or in purchasing and cancelling any of the Consolidated Three Pounds *per Centum* Annuities, or Reduced Three Pounds *per Centum* Annuities, payable at the Bank of *England* or at the Bank of *Ireland*, as the Case may be; and have also resolved, that the Interest on such Exchequer Bonds shall be charged and chargeable on the said Consolidated Fund; and have also resolved, that no Amount of such Exchequer Bonds shall be issued exceeding in the whole the Sum of Thirty Millions; and have also resolved, that it shall be lawful for the Accountant General of the Courts of Chancery in *England* and *Ireland* respectively, and for the Accountant in Bankruptcy in *England*, at any Time before the Third Day of *June* One thousand eight hundred and fifty-three, to signify to the Governor and Company of the Bank of *England*, or to the Corporation of the Governor and Company of the Merchants of *Great Britain* trading to the *South Seas* and other Parts of *America*, and for encouraging the Fishery, on behalf of any Suitor or Suitors or others interested in any such Three Pounds *per Centum* Annuities herein-before referred to as are proposed to be paid off and redeemed, standing in the Names of such Accountants General and Accountant respectively, their Assent to accept and receive Shares in the said New Three Pounds Ten Shillings *per Centum* Annuities, or New Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, in lieu of all such Three Pounds *per Centum* Annuities standing in their Names respectively, and the said Accountants General and Accountant

countant respectively shall be fully indemnified against all Actions, Suits, and Proceedings for and in respect of any Action, Matter, or Thing done by them respectively in pursuance thereof; and have also resolved, that all Executors, Administrators, Guardians, and Trustees interested in or entitled to any Part of the said Capital Trading Stock, or of the Capital Stock of the Old *South Sea* Three Pounds *per Centum* Annuities, of the New *South Sea* Three Pounds *per Centum* Annuities, of the Three Pounds *per Centum* Annuities created by the Act Twelfth *George* the First, of the Three Pounds *per Centum* Annuities created by the Act Twenty-fourth *George* the Second, of the Consolidated Three Pounds *per Centum* Bank Annuities, and of the Reduced Three Pounds *per Centum* Bank Annuities, whether payable at the Bank of *England* or at the Bank of *Ireland*, as the Case may be, who shall signify their Desire to convert the Annuities to which they may be respectively interested into any of the New Three Pounds Ten Shillings *per Centum* Annuities, New Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, shall be indemnified: We, Your Majesty's most faithful Commons, do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Annuity on the Capital Stock of the South Sea Company, continued under 6 G. 2. c. 28, &c., and certain 3*l.* per Cent. Stocks, viz., the Old and New South Sea Annuities, the Bank Annuities 1726, created by 12 G. 1. c. 2., and the 3*l.* per Cent. Annuities 1751, created by 24 G. 2. c. 2., to be redeemed.

I. The Annuity or Interest now payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* to the Governor and Company of Merchants of *Great Britain* trading to the *South Seas* and other Parts of *America*, and for encouraging the Fishery, commonly called the *South Sea* Company, on the Amount of Capital Stock which under the Act of the Sixth Year of King *George* the Second, intituled *An Act for converting a further Part of the Capital Stock of the* South Sea *Company into Annuities redeemable by Parliament, and for settling the remaining Part of the said Stock in the said Company*, and other Acts of Parliament has been continued in the said *South Sea* Company as a Trading or Capital Stock in their own Right; the Capital Stocks of the Three Pounds *per Centum* Annuities, called and known by the Name of the Old *South Sea* Annuities, and by the Name of the New *South Sea* Annuities; the Capital Stock of the Three Pounds *per Centum* Annuities, (created by an Act passed in the Twelfth Year of King *George* the First intituled *An Act for granting to His Majesty the Sum of One million, to be raised by way of a Lottery*,) called and known by the Name of the Bank Annuities One thousand seven hundred and twenty-six; and the Capital Stock of the Three Pounds *per Centum* Annuities, (created by an Act passed in the Twenty-fourth Year of King

King *George* the Second, intituled *An Act for granting to His Majesty the Sum of Two millions one hundred thousand Pounds, to be raised by Annuities and a Lottery, and charged on the Sinking Fund, redeemable by Parliament,*) called and known by the Name of the Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, shall be paid off and redeemed or commuted as herein-after mentioned.

Proprietors of said 3*l.* per Cents may for 100*l.* of their Stock receive 82*l.* 10*s.* New 3*l.* 10*s.* per Cent., 110*l.* 2*l.* 10*s* per Cent., or 100*l.* Exchequer Bond carrying Interest at 2*l.* 15*s.* per Cent. not later than 1st Sept. 1864, and after at 2*l.* 10*s.* per Cent.

II. Every Person, Body Politic and Corporate, who now is or hereafter may be interested in the Capital Stocks of any of the said Three Pounds *per Centum* Annuities, who shall, in manner herein-after directed, give Notice at any Time on or before *Friday* the Third Day of *June* One thousand eight hundred and fifty-three of his Assent to receive other Government Securities in lieu and in place of the said Capital Stocks of the said Annuities, instead of being paid in Money, shall, at the Option of the said Parties, receive for every One hundred Pounds thereof Eighty-two Pounds Ten Shillings in a new Stock of Three and a Half *per Centum* Annuities, and so in proportion for any Amount less than One hundred Pounds, which said Annuities shall be paid at the Rate of Three Pounds Ten Shillings *per Centum per Annum* until the Fifth Day of *January* One thousand eight hundred and ninety-four, from and after which Day the said Annuities shall be subject to Redemption by Parliament; or for every One hundred Pounds of the said Capital Stocks of Three Pounds *per Centum* Annuities the Sum of One hundred and ten Pounds in a new Stock of Two and a Half *per Centum* Annuities, and so in proportion for any Amount less than One hundred Pounds, which said Annuities shall be paid at the Rate of Two Pounds Ten Shillings *per Centum per Annum* until the Fifth Day of *January* One thousand eight hundred and ninety-four, from and after which Day the said Annuities shall be subject to Redemption by Parliament; or for every Sum of One hundred Pounds of the said Capital Stocks of Three Pounds *per Centum* Annuities an Exchequer Bond for the like Amount, payable to Bearer, and carrying Interest at the Rate of Two Pounds Fifteen Shillings *per Centum per Annum*, payable half-yearly on the First Day of *March* and the First Day of *September* in every Year, until the First Day of *September* in a Year to be named in such Bond, and not later than the First Day of *September* One thousand eight hundred and sixty-four inclusive, and thenceforth Two Pounds Ten Shillings *per Centum per Annum*, payable half-yearly in like Manner, until and including the First Day of *September* One thousand eight hundred and ninety-four, and thereafter to be subject to Redemption at Par, at the Option of the Holder or at the Option of the Commissioners of Her Majesty's Treasury, as shall be named in such Bond.

III. The

III. The Commissioners of Her Majesty's Treasury are hereby authorized and empowered to fix the Number of Years during which the Interest of Two Pounds Fifteen Shillings *per Centum* shall be payable on the Exchequer Bonds to be issued under this Act, subject to the Limitation herein-before contained, and likewise to determine whether such Bonds after the First Day of *September* One thousand eight hundred and ninety-four shall be redeemable at their Option only, or shall also be redeemable at the Option of the Holder, and if such Bonds shall be redeemable at the Option of the Holders, then to fix the Time, not being earlier than the First Day of *September* One thousand eight hundred and ninety-four or later than the First Day of *September* One thousand nine hundred, at which they may be respectively presented for Payment; and the said Commissioners shall give Notice in the *London Gazette* of what they shall determine in these respects as soon as may be after the passing of this Act.

Treasury to fix the Term for Payment of 2*l.* 15*s.* per Cent. Exchequer Bonds and the Options of Redemption.

IV. The Dividends and Interest payable on such New Three Pounds Ten Shillings *per Centum* Annuities, on such Two Pounds Ten Shillings *per Centum* Annuities, and on such Exchequer Bonds as shall be created and issued respectively under this Act, shall be charged and chargeable upon and shall be issued and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* in the same Manner as the said Annuity or Interest payable to the said *South Sea* Company, and the Interest and Dividends of the Three Pounds *per Centum* Annuities to be paid off and redeemed or commuted under this Act, now stand charged on the said Fund.

Dividends charged on the Consolidated Fund.

V. The Annuity or Interest now payable by Law to the said *South Sea* Company on their said Trading or Capital Stock, and the Dividends now payable by Law on the Fifth Day of *July* and the Fifth Day of *January* in every Year on the said Capital Stocks of the said New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one respectively, shall severally continue payable until the Fifth Day of *January* One thousand eight hundred and fifty-four inclusive, and no longer; and the Dividends now payable by Law on the Tenth Day of *October* and the Fifth Day of *April* in every Year on the said Capital Stock of Old *South Sea* Annuities shall continue payable until the Fifth Day of *April* One thousand eight hundred and fifty-four inclusive, and no longer.

Annuity on South Sea Stock, and Dividends on New South Sea Annuities, Bank Annuities 1726, and 3*l.* per Cent. Annuities 1751, to cease from Jan. 5, 1854, and Dividends on Old South Sea Annuities to cease from April 5, 1854.

VI. If the said *South Sea* Company shall at any Time on or before *Friday* the First Day of *July* One thousand eight hundred and fifty-three signify to the Commissioners of Her Majesty's Treasury, in Writing

South Sea Company to have the same Option of Commu-

tation as Proprietors of 3*l.* per Cents.

Writing under the Common Seal of such Company, their Assent to commute and exchange the Annuity or Interest now payable on their said Trading or Capital Stock, or any Part thereof, into any One or more of the said New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, the said Company shall be permitted to make such Commutation and Exchange upon the same Terms and subject to the like Conditions as are granted to Persons and Bodies Politic and Corporate interested in the said Capital Stocks of Three Pounds *per Centum* Annuities to be paid off and redeemed or commuted under this Act; and for the Purpose of such Commutation or Exchange the Annuity or Interest payable in respect of every One hundred Pounds of the said Trading or Capital Stock shall be equivalent to One hundred Pounds of the said Capital Stocks of Three Pounds *per Centum* Annuities.

Assents of Proprietors of the said 3*l.* per Cents how to be signified.

VII. All and every Persons or Person, Bodies Politic or Corporate, possessed of any Part of the said Three Pounds *per Centum* Annuities, and who shall desire to signify his, her, or their Assent to receive the said New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds in lieu thereof, shall, on or before the Third Day of *June* One thousand eight hundred and fifty-three, but within the usual Hours of transacting Business at the Bank of *England* or at the *South Sea* House, by themselves or some Agent or Agents for that Purpose duly authorized, signify to the Governor and Company of the Bank of *England*, or to the said *South Sea* Company, as the Case may be, such Assent in Writing under his, her, or their Hand or Hands, or the Hand or Hands of his, her, or their Agent or Agents, together with the Amount of his, her, or their respective Share or Shares in the said Three Pounds *per Centum* Annuities, and which said Assent shall be entered in a Book or Books to be opened and kept by the said Governor and Company of the Bank of *England* and by the said *South Sea* Company for that Purpose; and in case of any Transfer of such Share or Shares of such Annuities, or any Part or Parts thereof, after such Assent, the Part or Parts of such Annuities so transferred shall be entered in the Books of the Bank of *England* and *South Sea* Company respectively separately from the said Three Pounds *per Centum* Annuities in respect of which no such Assent shall be signified; and all and every such Persons or Person so assenting, or his, her, or their Assigns, or the Executors or Administrators of such Assigns, under any such Transfer, shall as respects the said New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, from the Fifth Day

Day of *January* One thousand eight hundred and fifty-four, and as respects the said Old *South Sea* Annuities from the Fifth Day of *April* One thousand eight hundred and fifty-four, be entitled for every One hundred Pounds Capital Stock of the said Annuities to Eighty-two Pounds Ten Shillings of the Capital Stock of New Three Pounds Ten Shillings *per Centum* Annuities, or to One hundred and ten Pounds of the Capital Stock of the Two Pounds Ten Shillings *per Centum* Annuities, and so in proportion for any Amount less than One hundred Pounds, or to an Exchequer Bond of One hundred Pounds bearing Interest as aforesaid: Provided always, that if any Person or Persons holding any such Three Pounds *per Centum* Annuities shall not be within the Limits of the United Kingdom at any Time between the Eighth Day of *April* and the Third Day of *June* One thousand eight hundred and fifty-three, both inclusive, but shall be in any other Part of *Europe*, it shall be lawful for such Person or Persons to signify such Assent at any Time before the Thirtieth Day of *July* One thousand eight hundred and fifty-three; and if any such Person or Persons shall not at any Time between the Eighth Day of *April* One thousand eight hundred and fifty-three and the Thirtieth Day of *July* One thousand eight hundred and fifty-three be within any Part of *Europe*, it shall be lawful for him, her, or them to signify such Assent at any Time before the First Day of *February* One thousand eight hundred and fifty-four, such Person or Persons proving to the Satisfaction of the Governor or Deputy Governor of the Bank of *England*, or to the Governor, Sub-Governor, or Deputy Governor of the said *South Sea* Company, his, her, or their Absence from the United Kingdom or out of *Europe* as above specified, and that his, her, or their Share or Shares of such Three Pounds *per Centum* Annuities stood in his, her, or their Name or Names respectively, or in the Name or Names of any One or more Trustee or Trustees on his, her, or their Behalf, in the Books of the Governor and Company of the Bank of *England* or of the said *South Sea* Company on the Third Day of *June* One thousand eight hundred and fifty-three; provided also, that such Person or Persons so absent from the United Kingdom or out of *Europe* shall signify such his, her, or their Assent within Ten Days after his, her, or their Return to the United Kingdom.

VIII. All Persons and Bodies Politic or Corporate interested in the said Capital Stocks of New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one respectively, who shall not signify their Assents to accept New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, upon the Terms

Proprietors of New South Sea Annuities, Bank Annuities 1726, and 3 per Cent. Annuities 1751 (not assenting to commute)

to receive on 5th Jan. 1854 100*l.* for 100*l.* Stock, and Proprietors of Old South Sea Annuities not assenting to commute to receive on 5th Apr. 1854 100*l.* for 100*l.* Stock.

Terms and in the Manner herein mentioned, shall, on the Fifth Day of *January* One thousand eight hundred and fifty-four, receive the Sum of One hundred Pounds for every One hundred Pounds of such Capital Stock which may be then standing in their respective Names, and so in proportion for any greater or less Amount; and all Persons and Bodies Politic or Corporate interested in the said Capital Stock of Old *South Sea* Annuities who shall not signify their Assents to accept New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, upon the Terms and in the Manner herein mentioned, shall, on the Fifth Day of *April* One thousand eight hundred and fifty-four, receive the Sum of One hundred Pounds for every One hundred Pounds of such Capital Stock which may be then standing in their respective Names, and so in proportion for any greater or less Amount: Provided always, that the Payment at the Bank of *England* for the Use of the Persons entitled thereto of any Money payable under this Provision in respect of the said Capital Stocks shall be and be deemed a full Discharge of the Amount so paid, and that the Proprietors of the said Capital Stocks respectively, or their Agents duly authorized, shall be at liberty to demand and receive Payment from the said Bank, upon Application for that Purpose, at any Time after the said Fifth Day of *January* and Fifth Day of *April* One thousand eight hundred and fifty-four respectively, of the Sums so paid for the Use of such Proprietors respectively.

South Sea Company to be paid Principal Money the Interest on which they may not assent to commute.

IX. In case the said *South Sea* Company do not signify their Assent to commute or exchange the whole of the Annuity or Interest now payable on their said Trading or Capital Stock into One or more of the said New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, and Exchequer Bonds, on the Terms and in manner herein mentioned, there shall be paid to the said *South Sea* Company, or into the Bank of *England* to the Credit of the said *South Sea* Company or of their Chief Cashier to their Use, a Principal Sum equal to the Amount of the said Trading or Capital Stock of the said Company, or if any Part of their Annuity or Interest have been commuted or exchanged, then to the Part of the said Trading or Capital Stock the Annuity or Interest on which shall not have been commuted or exchanged as aforesaid.

Power to Accountants General of Chancery and Accountant in Bankruptcy to assent.

X. It shall be lawful for the Accountant General of the Courts of Chancery in *England* and *Ireland* respectively, and for the Accountant in Bankruptcy in *England*, at any Time before the Third Day of *June* One thousand eight hundred and fifty-three, to signify to the Governor and Company of the Bank of *England* or to the *South*

South Sea Company (as the Case may be), on behalf of any Suitor or Suitors or others interested in any of the said Capital Stocks of New *South Sea* Annuities, Old *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, standing in the Names of such Accountants General and Accountant respectively, their Assent to accept and receive in lieu thereof the said New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds; and General or Special Orders may be made in a summary Way, upon Application, either by Motion or Petition, of Suitors or Persons interested or otherwise, by the Courts of Chancery in *England* and Ireland and by the Court of Bankruptcy in *England* respectively, for directing the said Accountants General and Accountant respectively, as to signifying or not signifying such Assent, and otherwise in relation thereto; and the said Accountants General and Accountant respectively shall be fully indemnified against all Actions, Suits, or Proceedings for or in respect of any Act, Matter, or Thing done by them respectively in pursuance of this Act.

Power to Executors, &c. to assent.

XI. All Executors, Administrators, Guardians, and Trustees, and all Committees of the Estates of Idiots and Lunatics, who as such shall have the Control over any Share or Shares of the said Capital Stocks of Old *South Sea* Annuities, New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, standing either in their own Names or in the Name or Names of any Testator or Intestate, Infant, Idiot, or Lunatic, or other Person or Persons, may signify such Assent as aforesaid at any Time before the Third Day of *June* One thousand eight hundred and fifty-three; and if either or any Two or more of such Executors, Administrators, Guardians, Trustees, and Committees shall reside out of the United Kingdom, the Period within which such Assent may be signified shall be regulated by the Residence of the most distant of such Executors, Administrators, Guardians, Trustees, and Committees in each Case; and all Executors, Administrators, Guardians, Trustees, and Committees signifying such Assent shall be severally and respectively indemnified in respect thereof: Provided always, that an Assent for the Purposes aforesaid, signed by One of such Executors, Administrators, Guardians, Trustees, or Committees, for and on behalf of himself and the others or other of them, shall be sufficient, and shall be binding and conclusive upon the others and other of them, and shall be acted upon by the Governor and Company of the Bank of *England* and by the *South Sea* Company as if the same had been

signed by the whole of such Executors, Administrators, Guardians, Trustees, and Committees, unless some One or more of them shall give Notice to the said Governor and Company or to the said *South Sea* Company (as the Case may be), previous to the Expiration of the Time hereby given for signifying such Assent, of his, her, or their Dissent thereto.

Conditions on which Trustees may assent.

XII. Provided always, That in all Cases in which any Trustee, Executor, or Administrator shall hold or be entitled to any Part of the Capital Stock of any of the Three *per Centum* Annuities by this Act proposed or enabled to be paid off, commuted, or redeemed, upon trust for or for the Benefit of any Person having a limited Interest, or under legal Disability, no such Trustee, Executor, or Administrator shall be at liberty to give Notice of his Assent to receive, in lieu of such Capital Stock, the aforesaid new Stock of Three and a Half *per Centum* Annuities without the Consent in Writing of all Persons beneficially interested in such Stock, if competent and willing to consent; but if such Persons shall not agree, or if any of the Parties shall be under legal Disability, or if the Trust be such that Persons yet unborn may become interested under the same, then and in any or either of such Cases every such Trustee, Executor, or Administrator shall commute the Stock so held by him in such Manner only as a Judge of the Court of Chancery in *England* or *Ireland*, or of the Court of Session in *Scotland*, shall direct: Provided also, that all Applications for such Purpose as last aforesaid, and every other Application hereby authorized to be made to the Courts of Chancery in *England* and *Ireland* respectively, and to the Court of Session in *Scotland*, may be heard and disposed of in such Manner, on the Attendance of such Parties, and on such Evidence as the Judge shall think fit, who shall have Power to direct in what Way the Costs and Expenses of such Applications respectively shall be borne and defrayed.

Proprietors of Consols or Reduced 3*l.* per Cents may commute on the same Terms as Proprietors of aforesaid 3*l.* per Cents.

XIII. Every Person, Body Politic or Corporate, who now is or hereafter may be interested in or entitled to any Part of the Capital Stock of the Consolidated Three Pounds *per Centum* Annuities, or of the Capital Stock of the Reduced Three Pounds *per Centum* Annuities, payable at the Bank of *England* or at the Bank of *Ireland*, and who shall at any Time before the Tenth Day of *October* One thousand eight hundred and fifty-three signify to the Governor and Company of the Bank of *England*, or to the Governor and Company of the Bank of *Ireland*, by an Entry to be made in Books to be opened for such Purpose, his Assent to commute and exchange any or all of the said Annuities to which he may be entitled into any One or more of the said New Three Pounds Ten Shillings *per Centum*

Centum Annuities, Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, shall be permitted to make such Commutation and Exchange upon the same Terms and subject to the like Conditions as are granted to Persons, Bodies Politic or Corporate, interested in or entitled to the Capital Stocks of Three Pounds *per Centum* Annuities to be paid off and redeemed or commuted as herein-before mentioned; and the Dividends now payable by Law on such Part of the Capital Stock of the said Consolidated Three Pounds *per Centum* Annuities as shall be so commuted shall continue payable until the Fifth Day of *January* One thousand eight hundred and fifty-four inclusive, and the Dividends now payable by Law on such Part of the Capital Stock of the said Reduced Three Pounds *per Centum* Annuities as shall be so commuted shall continue payable until the Fifth Day of *April* One thousand eight hundred and fifty-four inclusive; and from and after the said Fifth Day of *January* and Fifth Day of *April* One thousand eight hundred and fifty-four respectively such Part of such respective Capital Stocks shall be considered as cancelled and paid off, and no Dividends or Interest shall be thenceforth payable thereon.

Commutations into New 3*l.* 10*s.* and 2*l.* 10*s.* per Cents limited.

XIV. Nothing herein contained shall extend to authorize the Commutation of the said Consolidated Three Pounds *per Centum* Annuities or the said Reduced Three Pounds *per Centum* Annuities into the said New Three Pounds Ten Shillings *per Centum* Annuities, after the aggregate Amount of the Capital Stocks of the said Consolidated Three Pounds *per Centum* Annuities, and Reduced Three Pounds *per Centum* Annuities, entered for Commutation into such New Three Pounds Ten Shillings *per Centum* Annuities in the said Books of the Bank of *England* and Bank of *Ireland* shall have reached the Sum of Thirty Millions, or to authorize the Commutation of the said Consolidated Three Pounds *per Centum* Annuities, or the said Reduced Three Pounds *per Centum* Annuities, into the said Two Pounds Ten Shillings *per Centum* Annuities after the aggregate Amount of the Capital Stocks of the said Consolidated Three Pounds *per Centum* Annuities and Reduced Three Pounds *per Centum* Annuities entered for Commutation into such Two Pounds Ten Shillings *per Centum* Annuities in the said Books of the Bank of *England* and Bank of *Ireland* shall have reached the Sum of Thirty Millions; Provided always, that for the Purpose of determining the Rights of Proprietors of Consolidated Three Pounds *per Centum* Annuities and Reduced Three Pounds *per Centum* Annuities to commute into New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities, Assents for such Commutation shall be taken at the Banks of *England* and *Ireland* respectively on the same Day or Days, and all Assents given at the Bank of *England*

England and Bank of *Ireland* on the same Day shall be deemed to have equal Priority; and if the aggregate Amount of the Capital Stocks of Consolidated Three Pounds *per Centum* Annuities and Reduced Three Pounds *per Centum* Annuities entered for Commutation into New Three Pounds Ten Shillings *per Centum* Annuities, or the aggregate Amount of the said Capital Stocks entered for Commutation into Two Pounds Ten Shillings *per Centum* Annuities, in *England* and *Ireland* on the First Day on which such Assents as aforesaid are taken exceed Thirty Millions of Capital Stock, the said Thirty Millions shall be apportioned rateably among the Proprietors of the said Consolidated Three Pounds *per Centum* Annuities and Reduced Three Pounds *per Centum* Annuities who on that Day may have given their Assent to commute into New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities (as the Case may be), in proportion to the Amounts in respect whereof such Assents may have been so given by them respectively to commute into such respective Annuities, omitting Fractions of a Pound, and such Proprietors shall be entitled to commute into New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities accordingly; or in case the aggregate Amount of the Capital Stocks of Consolidated Three Pounds *per Centum* Annuities and Reduced Three Pounds *per Centum* Annuities entered as aforesaid for Commutation into New Three Pounds Ten Shillings *per Centum* Annuities, or the aggregate Amount of the said Capital Stocks entered for Commutation into Two Pounds Ten Shillings *per Centum* Annuities, on any subsequent Day exceed such Residue of the said Sum of Thirty Millions as at the Commencement of such Day may remain open for Commutation into New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities, such Residue of the said Sum of Thirty Millions shall be apportioned rateably as aforesaid among the Proprietors of Consolidated Three Pounds *per Centum* Annuities and Reduced Three Pounds *per Centum* Annuities who on that Day may have given their Assents to commute into New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities (as the Case may be), and such Proprietors shall be entitled to commute into New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities accordingly.

Assents of Proprietors of Consolidated or Reduced 3*l.* per Cents how to be signified.

XV. All and every Persons or Person, Bodies Politic or Corporate, possessed of any Part of the said Consolidated Three Pounds *per Centum* Annuities or Reduced Three Pounds *per Centum* Annuities, and who shall desire to signify his, her, or their Assent to receive the said New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds

Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, in lieu thereof, shall, on or before the Tenth Day of *October* One thousand eight hundred and fifty-three, but within the usual Hours of transacting Business at the Bank of *England* or Bank of *Ireland*, by themselves or some Agent or Agents for that Purpose duly authorized, signify to the Governor and Company of the Bank of *England*, or to the Governor and Company of the Bank of *Ireland*, as the Case may be, such Assent in Writing under his, her, or their Hand or Hands, or the Hand or Hands of his, her, or their Agent or Agents, together with the Amount of his, her, or their respective Share or Shares in the said Consolidated Three Pounds *per Centum* Annuities or Reduced Three Pounds *per Centum* Annuities, and which said Assent shall be entered in a Book or Books to be opened and kept by the Governor and Company of the Bank of *England* and by the Governor and Company of the Bank of *Ireland* for that Purpose; and in case of any Transfer of such Share or Shares of such Annuities, or any Part or Parts thereof, after such Assent, the Part or Parts of such Annuities so transferred shall be entered in the Books of the Bank of *England* and of the Bank of *Ireland* respectively separately from the said Consolidated Three Pounds *per Centum* Annuities or Reduced Three Pounds *per Centum* Annuities in respect of which no such Assent shall be signified; and all and every such Persons or Person so assenting, or his, her, or their Assigns, or the Executors or Administrators of such Assigns, under any such Transfer, shall, as respects Consolidated Three Pounds *per Centum* Annuities from the Fifth Day of *January* One thousand eight hundred and fifty-four, and as respects Reduced Three Pounds *per Centum* Annuities from the Fifth Day of *April* One thousand eight hundred and fifty-four, be entitled for every One hundred Pounds Capital Stock of the said Consolidated Three Pounds *per Centum* Annuities or Reduced Three Pounds *per Centum* Annuities to Eighty-two Pounds Ten Shillings of the Capital Stock of New Three Pounds Ten Shillings *per Centum* Annuities, or, subject to the Limitations herein-before contained, to One hundred and ten Pounds of the Capital Stock of the Two Pounds Ten Shillings *per Centum* Annuities, and so in proportion for any Amount less than One hundred Pounds, or an Exchequer Bond of One hundred Pounds bearing Interest as aforesaid.

Power to Executors, &c. to assent.

XVI. All Executors, Administrators, Guardians, and Trustees, and all Committees of the Estates of Idiots and Lunatics, who as such shall have the Control over any Share or Shares of the said Capital Stocks of Consolidated Three Pounds *per Centum* Annuities or Reduced Three Pounds *per Centum* Annuities, standing either in their own Names or in the Name or Names of any Testator or

Intestate, Infant, Idiot, or Lunatic, or other Person or Persons, may signify such Assent as aforesaid at any Time before the Tenth Day of *October* One thousand eight hundred and fifty-three; and all Executors, Administrators, Guardians, Trustees, and Committees signifying such Assent shall be severally and respectively indemnified in respect thereof: Provided always, that an Assent for the Purposes aforesaid, signed by One of such Executors, Administrators, Guardians, Trustees, or Committees, for and on behalf of himself and the others or other of them, shall be sufficient, and shall be binding and conclusive upon the others and other of them, and shall be acted upon by the Governor and Company of the Bank of *England* and by the Governor and Company of the Bank of *Ireland* respectively as if the same had been signed by the whole of such Executors, Administrators, Guardians, Trustees, and Committees, unless some One or more of them shall give Notice to the Governor and Company of the Bank of *England* or to the Governor and Company of the Bank of *Ireland* (as the Case may be), previous to the Expiration of the Time hereby given for signifying such Assent, of his, her, or their Dissent thereto.

Dividends on New 3*l.* 10*s.* per Cents and 2*l.* 10*s.* per Cents to be payable on 5th Jan. and 5th July.

XVII. The Dividends or Interest on the said New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities shall be paid and payable at the Bank of *England* or at the Bank of *Ireland* on the Fifth Day of *January* and Fifth Day of *July* in every Year, and the First Payment thereof shall be made on the Fifth Day of *July* One thousand eight hundred and fifty-four; provided that a Quarter of a Year's Dividends or Interest, and no more, shall be paid on the Fifth Day of *July* One thousand eight hundred and fifty-four on any Sum or Share of the said Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities which may have been accepted in lieu of Old *South Sea* Annuities or Reduced Three Pounds *per* Centum Annuities; and the said New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities shall be free from all Taxes, Charges, and Impositions, in the like Manner as the Three Pounds *per Centum* Annuities redeemed or commuted under this Act.

Books to be opened at the Banks of England and Ireland for receiving the Entry of the New 3*l.* 10*s.* per Cents and 2*l.* 10*s.* per Cents.

XVIII. It shall and may be lawful for the Governor and Company of the Bank of *England*, and for the Governor and Company of the Bank of *Ireland*, at any Time after the Third Day of *June* One thousand eight hundred and fifty-three, to open Books for writing up and receiving the Entry into the New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities of any of the said Capital Stocks of Old *South Sea* Annuities,

nuities, New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, Consolidated Three Pounds *per Centum* Annuities, and Reduced Three Pounds *per Centum* Annuities, belonging to any Proprietor or Proprietors who may have expressed his, her, or their Assent to receive such New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities, and who may thereby have commuted his, her, or their Share of the said Capital Stocks into the said New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities; but the Dividends on any of the said Capital Stocks of New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, and Consolidated Three Pounds *per Centum* Annuities, so commuted, shall continue payable until the Fifth Day of *January* One thousand eight hundred and fifty-four inclusive; and the Dividends on the said Capital Stocks of Old *South Sea* Annuities and Reduced Three Pounds *per Centum* Annuities so commuted shall continue payable until the Fifth Day of *April* One thousand eight hundred and fifty-four inclusive to the Persons in whose Names the said New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities received in lieu of such Capital Stocks respectively may stand on the Days of Payment of such Dividends.

Payment of Dividends of Stocks commuted.

XIX. The Books kept at the *South Sea* House for Transfer of the said New *South Sea* Annuities and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one shall be closed from the First Day of *December* One thousand eight hundred and fifty-three, and the Books kept at the *South Sea* House for Transfer of the said Old *South Sea* Annuities shall be closed from the First Day of *March* One thousand eight hundred and fifty-four; and the *South Sea* Company shall with all convenient Speed, and not later than Fifteen Days after the closing of their Books in each Case as aforesaid, transmit to the Governor and Company of the Bank of *England* a Certificate under their Common Seal, setting forth a Statement of all Sums of Annuities in respect of which Assents have been given by Proprietors and others authorized to assent under this Act to accept New Three Pounds Ten Shillings *per Cent.* Annuities, Two Pounds Ten Shillings *per Cent.* Annuities, or Exchequer Bonds, and of all Sums of Annuities in respect of which Assents have not been so given, and of the Names of the Persons appearing by the Books of the *South Sea* Company to be Proprietors of such assented Annuities and of such Annuities in respect whereof Assents have not been

South Sea Company to certify to the Bank of England Amounts of Stock assented to and not assented to.

been given respectively at the Date of closing the Transfer Books as aforesaid; and the *South Sea* Company shall likewise from Time to Time transmit to the said Governor and Company of the Bank of *England*, under their Common Seal, Certificates of such further Sums of New *South Sea* Annuities and Annuities One thousand seven hundred and fifty-one in respect whereof Assents shall be given subsequently to the closing of the Transfer Books of those Funds as aforesaid, under the Authorities herein contained, and of the Proprietors thereof; and the Entries in such Certificates shall be sufficient Authority to the Governor and Company of the Bank of *England* for writing up or causing or permitting to be entered in the Names of the Persons specified in such Certificates of Sums in the New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities respectively, equivalent at the Rates aforesaid to the several Sums of the said Capital Stocks in respect whereof such Assents have been entered, and also for the Payment to the Persons specified in such Certificates of the Money payable in respect of the Sums of the said Capital Stocks in respect whereof Assents may not have been entered, and also (in case the said Governor and Company shall be Agents for the Delivery of the said Exchequer Bonds) for the Delivery to the Persons specified in such Certificates of Exchequer Bonds equivalent to the several Sums of the said Capital Stocks in respect whereof Assents to receive Exchequer Bonds in lieu thereof may have been entered.

New 3*l.* 10*s.* per Centum and 2*l.* 10*s.* per Centum Annuities to which the South Sea Company may be entitled under their Assent to be entered in the Name of such Company.

XX. In case the said South Sea Company shall, within the Time and in manner herein-before mentioned, signify to the Commissioners of Her Majesty's Treasury their Assent to commute and exchange the Annuity or Interest now payable on their said Trading or Capital Stock, or any Part thereof, into or for New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities, the Commissioners of Her Majesty's Treasury shall thereupon by Warrant under their Hands authorize and direct the Governor and Company of the Bank of *England* to enter or cause to be entered into the Name of the said *South Sea* Company in the Books of the said Governor and Company of the Bank of *England* the Amounts of New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities, or the Amount of either of such Annuities, to which the said *South Sea* Company may be entitled under such Assent.

Bank to appoint a Cashier and an Accountant General.

XXI. For the more easy and sure Payment of the Annuities established by this Act, the said Governor and Company of the Bank of *England* and the Governor and Company of the Bank of *Ireland* respectively, and their Successors, shall from Time to Time appoint

appoint and employ One or more sufficient Person or Persons within their Office to be their Chief or First Cashier or Cashiers, and One other sufficient Person within the same Office to be their Accountant General; and the Monies from Time to Time and at any Time being in the Receipt of the Exchequer, hereby made applicable to the Payment of the said New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities respectively, shall, by Order of the Commissioners of Her Majesty's Treasury, without any further or other Warrant to be sued for, had, or obtained in that Behalf, be issued and paid at the said Receipt of Exchequer to the said Chief or First Cashier or Cashiers of the said Governor and Company of the Bank of *England* or Bank of *Ireland* respectively, and their Successors for the Time being, by way of Imprest and upon Account for the Payment of the said Annuities; and such Cashier or Cashiers to whom the said Monies shall from Time to Time be issued shall from Time to Time, without Delay, apply and pay the same accordingly, and render his or their Accounts thereof according to the due Course of the Exchequer.

Said Accountants General to examine Receipts and Payments.

XXII. The said Accountants General for the Time being respectively shall from Time to Time inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence, or Delay.

The Annuities created by this Act to be several Joint Stocks.

XXIII. All the New Three Pounds Ten Shillings *per Centum* Annuities created by virtue of this Act shall be deemed, reputed, and taken to be One Capital or Joint Stock, and all the Two Pounds Ten Shillings *per Centum* Annuities created by virtue of this Act shall be deemed, reputed, and taken to be One other Capital or Joint Stock; and all and every Persons and Person and Bodies Politic and Corporate whatsoever entitled thereto shall have and be deemed to have a proportional Interest and Share in the said respective Stocks, and in the Annuities attending the same; and the said Capital or Joint Stocks respectively, or any Share or Interest therein, and the proportional Annuity attending the same, shall be assignable and transferable as this Act directs, and not otherwise; and there shall be constantly kept in the Office of the said Accountants General for the Time being Books wherein all Assignments or Transfers of the said Capital or Joint Stocks respectively, or any Part thereof, and the proportional Annuities attending the same, shall be entered and registered, which Entries shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or if any such Party or Parties be absent, by his, her, or their Attorney or Attornies thereunto lawfully authorized by Writing under his, her, or their Hands and Seals, to be

be attested by Two or more credible Witnesses, and the Person or Persons to whom such Transfer or Transfers shall be made may respectively underwrite his, her, or their Acceptance thereof; and no other Method of assigning or transferring the said Stocks respectively, and the Annuities attending the same, or any Part thereof, or any Interest therein, shall be good and available in Law; and no Stamp Duties whatsoever shall be charged on the said Transfers or any of them.

Annuities to be Personal Estate.

XXIV. All Persons and Corporations entitled to the said New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities respectively, created by this Act, and his, her, or their Executors, Administrators, Successors, and Assigns respectively, and all Persons and Corporations lawfully claiming under them, shall have good, sure, absolute, and indefeasible Estates and Interests in the said respective Annuities, according to the true Tenor and Meaning of this Act, and shall be possessed thereof as of a Personal Estate, devisable as such, and which shall not be descendible to Heirs, nor liable to any Foreign Attachment by the Custom of *London* or otherwise, any Law, Custom, or Usage to the contrary notwithstanding.

Certificates of Amount of Stock exchanged or paid off, &c. to be sent to Commissioners for Reduction of the National Debt.

XXV. As soon after the Expiration of the respective Periods allowed by this Act for signifying Assent under this Act as the same can be done, Certificates shall be from Time to Time made out and transmitted to the Commissioners for the Reduction of the National Debt, by the proper Officer or Officers of the Banks of *England* and *Ireland* respectively, and of the said *South Sea* Company, of the Amount of Three Pounds *per Centum* Annuities which shall have been exchanged into such New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities or Exchequer Bonds, or paid off under the Provisions of this Act, and of the annual Interest which shall have ceased thereby, and also of the Capital Amount of such New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities created by such Exchange, and of the annual Interest thereon.

Bonds or Contracts to transfer the said 3*l.* per Cents to be deemed satisfied by Transfer of New 3*l.* 10*s.* per Cents or 2*l.* 10*s.* per Cents.

XXVI. In every Case in which any Person or Persons shall at the Time of the passing of this Act be or remain bound by the Condition of any Bond or Obligation, or by the Terms of any Instrument in Writing, or by any Agreement or Contract, to transfer any Amount of the said Capital Stocks of Old *South Sea* Annuities, New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, and Three Pounds *per Centum* Annuities One thousand seven

seven hundred and fifty-one respectively, the Condition of such Bond or Obligation, or the Terms of such Instrument, Agreement, or Contract, shall, unless such Option and Notice be declared and given as herein-after provided, be deemed in Law and Equity to be satisfied by making a Transfer of such an Amount of Capital Stock, either in the New Three Pounds Ten Shillings *per Centum* Annuities or in the Two Pounds Ten Shillings *per Centum* Annuities created under this Act, as would upon an Assent by a Person entitled thereto be receivable in respect of such an Amount of the Capital Stock which under such Condition or Terms should be transferred; and where any Party is by the Condition of any such Bond or Obligation, or the Terms of any such Instrument in Writing, or Agreement or Contract, bound or required to pay half-yearly Sums equal to the Dividends on any specified Amount of any such Three Pounds *per Centum* Annuities respectively, every such Bond, Obligation, Instrument, Agreement, or Contract shall be satisfied by the Payment of half-yearly Sums equal to the Dividends of or upon such Amount of Capital Stock in the said New Three Pounds Ten Shillings *per Centum* Annuities as would upon an Assent by a Person entitled thereto be receivable in respect of such specified Amount of Three Pounds *per Centum* Annuities.

As to Payment of Dividends.

XXVII. In every Case in which any of the said Old *South Sea* Annuities, New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, or Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, shall have been transferred in the way of Loan, upon any Condition in any Bond or Instrument, or under or upon any Agreement or Contract, for the Repayment of such Loan, by the replacing the Amount of Stock so transferred, it shall be lawful for the Person or Persons who shall have made any such Loan, or their Executors, Administrators, or Assigns, to declare an Option, and give Notice thereof in Writing, and thereby require, but at the same Times and on the same Terms on which he might have required a Retransfer of the Stock so lent, the Repayment of One hundred Pounds of lawful Money of *Great Britain* for every One hundred Pounds Capital Stock of such Annuities so transferred in the way of Loan as aforesaid, and so in proportion for any greater or less Amount; and every Bond, Obligation, Instrument, Agreement, or Contract given, entered into, or made upon any such Loan or Contract shall be deemed in every such Case in Law and in Equity to entitle the Person or Persons, his, her, or their Executors, Administrators, or Assigns, to such Repayment in Money, and in the meantime to receive Interest according to the original Contract, and to demand and recover the same respectively in any Court in which any Action, Suit, Process,

Lenders of 3*l.* per Cents redeemed on Contract to replace may demand 100*l.* Money for every 100*l.* Stock.

Process, or Proceeding may be brought, instituted, or carried on upon any such Bond, Obligation, Instrument, Agreement, or Contract, anything in any such Bond or Obligation, Instrument, Agreement, or Contract, to the contrary notwithstanding.

Powers of Attorney for Sale or Transfer of 3*l.* per Cents redeemed to continue in force.

XXVIII. Every Power of Attorney in force at the Time of passing this Act for the Sale or Transfer of any of the said Old *South Sea* Annuities, New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, or Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, in respect of which an Assent to accept other Securities may not have been signified under the Provisions of this Act, shall remain and continue in full Force, unless legally revoked for the Purpose of enabling the Attorney or Attornies therein named to give a legal Discharge for the Principal and Dividend of such Annuities, when paid off under the Provisions of this Act, or to assent to receive New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, and Exchequer Bonds, or any of them, in lieu of the said Three Pounds *per Centum* Annuities; and all such Powers of Attorney deposited with the *South Sea* Company concerning any of the said Old *South Sea* Annuities, New *South Sea* Annuities, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, shall, as soon as conveniently may be after Dividends thereon respectively shall cease to be payable, be transferred and delivered by the *South Sea* Company to the Governor and Company of the Bank of *England*.

Trusts as to Stock commuted shall extend to newly created Stocks.

XXIX. All Trusts, whether created by Will or otherwise, and which existed either in the whole or in part, and all Directions contained in any Will or Devise or testamentary Paper, which remain unexecuted at the Time of the passing of this Act, as to any Three Pounds *per Centum* Annuities which may under this Act be commuted into New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities, or as to the Payment or Distribution of any Dividends thereon, or as to the Transfer of any such Annuities in any Events specified in any such Trusts or Will or testamentary Paper, shall extend and be deemed and construed in all Cases, and in all Courts of Law and Equity in the United Kingdom or elsewhere in any Dominions or Territories belonging to Her Majesty, to extend and to apply to all such New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities created in lieu of any Three Pounds *per Centum* Annuities subject to or affected by any such Trusts or Devises or Wills or testamentary Papers, for all Purposes and in all Cases in which such Trusts or to which any such Directions can be made applicable:

applicable: Provided always, that in all Cases in which any Proportions or Parts of any such Three Pounds *per Centum* Annuities are required to be transferred under any such Trusts, or under the Provisions of or Directions contained in any Will, Devise, or testamentary Paper, or any Proportion or Part of any Dividends arising from and out of any such Three Pounds *per Centum* Annuities, are required to be paid or distributed, the Transfer of an Amount of New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities, equivalent at the Rate of Commutation hereby authorized, and the Payment and Distribution of Dividends at the Rate of Three Pounds Ten Shillings *per Centum* and Two Pounds Ten Shillings *per Centum*, instead of Three Pounds *per Centum*, upon the Capital, shall be and be deemed and taken in all Courts and for all Purposes to be a due Execution of such Trusts, or of the Directions contained in any Will or testamentary Paper, and shall fully discharge the Trustee or Executor or Executors making the same, who are hereby declared to be and are hereby fully indemnified in respect of such Execution of any such Trusts and Executorship as aforesaid.

Questions as to Trusts arising on Commutations under this Act may be decided by Courts of Chancery in England or Ireland, or by the Court of Session in Scotland.

XXX. In every Case in which any Question may have arisen or may arise upon the Execution of any Trusts or upon any Distributions which may have been or may be made or may remain to be made by any Trustees, Executors, or Administrators of or in relation to or arising out of any such Three Pounds *per Centum* Annuities which may have been vested in any Trustees, or which may have been distributable by any Executors or Administrators, or as to the Application of any Residue thereof, or as to the Distribution or Application of any New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities transferred under the Provisions of this Act, in lieu of any Annuities or Stock commuted hereunder, whether as to the Powers or Authorities of any such Trustees, Executors, or Administrators, or as to the relative Interest of any Persons entitled under any such Trusts or under Wills to receive any Annuities charged upon or arising or payable out of the Proceeds of any such Annuities or Stock, and of any Persons interested in any Residue of any of such Annuities or Stock, whether under any specific Provision relating to any such Trusts, or contained in any Wills, or arising out of the Execution of any Wills by any Executors, or the Distribution of any Estates by any Administrators, and in all other Cases whatsoever in which any Question may arise in consequence of Commutation under this Act, it shall be lawful for any such Trustees, Executors, or Administrators, and for Persons entitled to or interested in any Annuities or Stock extinguished or created under this Act, whether

in reversion or otherwise, to make Application to the High Court of Chancery in *England* or to the High Court of Chancery in *Ireland* respectively, or to the Court of Session in *Scotland*, in a summary Way, either by Motion or Petition; and it shall be lawful for the said High Courts of Chancery in *England* or *Ireland* respectively, or for the Court of Session in *Scotland*, to make general Orders in relation to any such Question, or special Orders in a summary Way, upon any such Application, or as to any other Matter or Thing relating to any such Annuities or Stock, or to any Dividends thereof; and all Trustees, Executors, Administrators, and other Persons acting under any Orders made by any or either of such Courts respectively, or whose Acts shall be confirmed by any or either of such Courts respectively, if done before any Application made to any or either of the said Courts respectively, shall be and are hereby fully indemnified against all Actions, Suits, or Proceeding for or in respect of any Act, Matter, or Thing done by them respectively in pursuance of or under any such Order, or which shall be confirmed by any such Order; and in case any Action, Suit, or other Proceeding be commenced or instituted against any such Trustee, Executor, Administrator, or other Person, for or in respect of any such Act, Matter, or Thing, it shall be lawful for the Court in which such Action, Suit, or Proceeding shall be commenced or shall be pending, upon summary Application, to stay, and such Court is hereby required to stay, such Action, Suit or Proceeding, and to make such Order relative to the Costs thereof as such Court shall think expedient.

New Stock transferable at Banks of England and Ireland may be mutually transferred, conformably to Directions of 5 G. 4. c. 53. as altered by 6 G. 4. c. 79.

XXXI. It shall and may be lawful for any Person who shall at any Time hold any Stock in the New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities created by this Act, transferable at the Bank of *Ireland*, to transfer or cause to be transferred any such Annuities respectively, for the Purpose of having corresponding Sums written into and consolidated with and made Part of the Capital of the like Annuities respectively transferable at the Bank of *England*; and in like Manner it shall be lawful for any Person who shall at any Time hold any Stock in the said New Three Pounds Ten Shillings *per Centum* Annuities or in the Two Pounds Ten Shillings *per Centum* Annuities created by this Act, transferable at the Bank of *England*, to transfer or cause to be transferred any such Annuities respectively, for the Purpose of having corresponding Sums written into and consolidated with and made Part of the Capital of the like Annuities respectively transferable at the Bank of *Ireland*; and all such Transfers shall be made on the Terms and Conditions, and subject to all the Clauses, Directions, and Regulations contained in an Act passed in the Fifth Year

Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to permit the mutual Transfer of Capital in certain Public Stock or Funds transferable at the Banks of* England *and* Ireland *respectively*, as the same is altered or affected by an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to provide for the Assimilation of the Currency and Monies of Account throughout the United Kingdom of* Great Britain *and* Ireland; and all Clauses and Provisions of the said Acts relating to any Funds, Stocks, or Annuities shall extend and be construed to extend to the Annuities created by this Act, in like Manner as if the said Annuities had been specified in the said recited Acts or either of them.

In respect of every 110*l.* of 2*l.* 10*s.* per Cents, a yearly Sum of 5*s.* to be paid to the Commissioners for the Reduction of the National Debt.

XXXII. In respect of each Sum of One hundred and ten Pounds of Two Pounds Ten Shillings *per Centum* Annuities created under this Act, there shall be paid to the Commissioners for the Reduction of the National Debt on the Fifth Day of *July* in every Year, until and inclusive of the Fifth Day of *July* One thousand eight hundred and ninety-four, the yearly Sum of Five Shillings, and so in proportion for any lesser Sum of such Annuities; such yearly Sums to be charged on the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and to be issued and paid thereout, either into the Bank of *England* or into the Bank of *Ireland*, to the Account of the said Commissioners for the Reduction of the National Debt, as the said Commissioners shall from Time to Time direct, and to be applied towards the Reduction of the National Debt as other Monies paid to them for that Purpose are by Law applicable; but a separate Account shall be kept by the said Commissioners of the Application of the Sums paid to them under this Provision; and for the Purposes of the Acts for regulating the Reduction of the National Debt such Sums shall be deemed Part of the Expenditure of the United Kingdom.

Stock, Bonds, and Money received in respect of the Annuities in the Names of the Commissioners for the Reduction of the National Debt to remain subject to the same Rights as such Annuities. 7 & 8 Vict. c. 80.

XXXIII. All Sums of the Annuities created under this Act, and all Exchequer Bonds into or for which any Sums of Annuities standing in the Books of the *South Sea* Company to the Credit of the Account of the Commissioners for the Reduction of the National Debt under the Provisions of the Act of the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter Eighty, shall be commuted or exchanged, and all Principal Money paid or payable for the Redemption of any of the last-mentioned Sums of Annuities, shall be and remain subject to the Claims and Rights of the Persons entitled to such respective Sums of Annuities under the Provisions of the said Act; and the Governor and Deputy Governor of the Bank of *England*, and the Court of Chancery, and the Officers of the Governor

Governor and Company of the Bank of *England* respectively shall and may exercise all such or the like Powers of and for transferring, and paying and ordering the Transfer, Delivery, and Payment of the said Sums of the Annuities created under this Act and Exchequer Bonds, and the Dividends or Interest on such Sums of Annuities and Exchequer Bonds, and the said Principal Money paid or payable for Redemption as aforesaid to the Persons claiming to be entitled thereto as the said Governor, Deputy Governor, and the Court of Chancery, and the Officers of the said Governor and Company respectively are authorized to exercise in respect to the Transfer of the Stocks or Annuities and the Payment of the Dividends and other Monies which, under the Provisions of an Act of the Fifty-sixth Year of King *George* the Third, Chapter Sixty, and an Act of the Session holden in the Eighth and Ninth Years of Her Majesty, Chapter Sixty-two, may be transferred or payable to the Account of the said Commissioners for the Reduction of the National Debt; and the *South Sea* Company shall deliver and furnish to the said Governor and Company all Documents and Information in the Possession or Power of the *South Sea* Company which may be necessary or proper for showing the Persons interested in the said Sums of Annuities so standing to the Credit of the Commissioners for the Reduction of the National Debt as aforesaid, or the Dividends thereon.

56 G. 3. c. 60.

8 & 9 Vict. c. 62.

Redemption Money of Stock not demanded for Ten Years, and Stock on which the Dividends are unclaimed for Ten Years, to be transferred to Commissioners for the Reduction of the National Debt.

XXXIV. All Sums of Money payable to any Persons entitled to any of the Annuities hereby directed to be paid off which shall not be demanded for Ten Years, or for so many Years as with the Period during which the Dividends on such Annuities shall not have been demanded shall make up Ten Years, and all such unclaimed Dividends, and all Capital Stock in any of the Annuities hereby created whereon the Dividends shall not be demanded for Ten Years, or for so many Years as with the Period during which the Dividends on the Stock for which it was substituted upon Commutation under this Act shall not have been demanded shall make up Ten Years, and all such unclaimed Dividends on such respective Stocks, shall be paid and transferred respectively to the Account of the Commissioners for the Reduction of the National Debt, and shall be subject to the Provisions of the said Act of the Fifty-sixth Year of King *George* the Third, Chapter Sixty, and of the said Act of the Eighth and Ninth Years of Her Majesty, Chapter Sixty-two.

Unclaimed Dividends on 3*l.* per Cent. Annuities transferable at the South

XXXV. The *South Sea* Company shall, on the First Day of *June* One thousand eight hundred and fifty-four, transmit to the Governor and Company of the Bank of *England* a Certificate under their Common Seal, setting forth a Statement of all Arrears of Dividends remaining unpaid in respect of any Share or Interest in the said Old

South

South Sea Annuities, New *South Sea* Annuities, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, and of all Balances (if any) of Sums issued to the said *South Sea* Company for paying any Part of the Principal Sums invested in such Annuities remaining unpaid, and shall also deliver to the said Governor and Company all Letters of Attorney then subsisting and in force for Payment of all or any Part of such Arrears of Dividends, and shall at the same Time pay over to the Governor and Company of the Bank of *England* all Monies remaining in the Hands of the said *South Sea* Company applicable to the Payment of such Dividends, or to the Payment of any of the Principal Sums invested in such Annuities, and the same shall be placed by the said Governor and Company to the Credit of the then current Account kept by the said Governor and Company of Monies received for satisfying and discharging the Principal and Interest of the several Annuities transferable at the Bank of *England*, and such Certificate shall be sufficient Authority to the Governor and Company of the Bank of *England* for paying to the Persons named therein, and their respective Attorneys, Executors, and Administrators, all or any Part of the Sums of Money specified in such Certificates to be due to such Persons respectively, and the Payment by the said Governor and Company of any Monies to the Persons appearing by the Letters of Attorney so delivered to them by the *South Sea* Company to be entitled to receive and give Discharges for the same shall effectually indemnify the said Governor and Company in respect thereof; and the said Governor and Company shall debit all Sums paid by them for or in respect of such Arrears of Dividends and Principal Sums remaining unpaid to the said Account of Monies received for satisfying and discharging the Principal and Interest of the several Annuities transferable at the Bank of *England*.

Sea House to be transferred to the Bank of England.

XXXVI. This Act shall be and is hereby declared to be a full and complete Indemnity and Discharge to the said Governor and Company of the Bank of *England*, and the Governor and Company of the Bank of *Ireland*, and to the *South Sea* Company, their Officers and Servants, and every of them, for all Things done or permitted to be done pursuant thereto, and that the same shall not be questioned or impeached in any Court of Law or Equity whatsoever to their Prejudice or Detriment.

Indemnifying Banks of England and Ireland and South Sea Company for Acts done by their Officers under this Act.

XXXVII. It shall be lawful for the said Commissioners of Her Majesty's Treasury, from Time to Time, between the Fifth Day of *April* One thousand eight hundred and fifty-three and the Fifth Day of *April* One thousand eight hundred and fifty-four, by Warrant under their Hands, to cause or direct any Number of Exchequer Bonds for like

The Treasury may cause Exchequer Bonds to be issued.

like Principal Sums, or different Sums not less in any Case than One hundred Pounds, bearing Interest, and conformable to the Terms and Provisions of this Act, to be made out at the Receipt of Her Majesty's Exchequer at *Westminster*, for the Purposes of this Act, subject to the Limitation herein-after contained, which Exchequer Bonds, and the Interest accruing thereon respectively, shall be transferable by the Delivery of such Bonds, and of the Receipts or Certificates for accruing Interest thereon, which may be issued therewith under this Act respectively; and it shall be lawful for the Commissioners of Her Majesty's Treasury to provide for the Delivery to the Persons and Corporations entitled thereto of such Exchequer Bonds as may be due to them under the Commutation and Exchange by the Authority of this Act, or it shall be lawful for the Commissioners of Her Majesty's Treasury, after public Notice in the *London Gazette*, from Time to Time to sell such Exchequer Bonds or any Part thereof, and to apply the Proceeds in redeeming the Annuity or Interest payable on any Part of the said Trading or Capital Stock or Capital Stocks of Three Pounds *per Centum* Annuities to be paid off and redeemed, or in purchasing and cancelling any Exchequer Bills, or in exchanging such Bonds for Exchequer Bills, upon such Terms as the said Commissioners shall think proper, or in purchasing and cancelling any of the Consolidated Three Pounds *per Centum* Annuities or Reduced Three Pounds *per Centum* Annuities payable at the Bank of *England* or at the Bank of *Ireland*, as the Case may be: Provided always, that all Exchequer Bills which shall be purchased with the Proceeds of the Sale of any Exchequer Bonds, or taken in exchange for any Exchequer Bonds, under the Power herein-before contained, shall be cancelled, and no Exchequer Bills shall be issued in lieu of the Exchequer Bills so cancelled; and the Amount of Exchequer Bills which the Commissioners of the Treasury may be authorized to direct the Issue of at any One Time in pursuance of any Act of this Session of Parliament shall be diminished by the Amount of the Exchequer Bills which may be so cancelled as aforesaid.

Limitation of Amount of Exchequer Bonds to 30,000,000*l.*

XXXVIII. The whole Amount of Principal Money to be secured by the Exchequer Bonds to be issued under the Authority of this Act shall not exceed the Sum of Thirty Millions: Provided always, that the said *South Sea* Company, and the Proprietors of the said Old South Sea Annuities, New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, shall receive such an Amount of such Exchequer Bonds as they may be entitled to and claim under the Terms of the Commutation or Exchange applicable to them respectively under this Act, in preference to the Proprietors desirous of commuting their Consolidated Three Pounds *per Centum* Annuities

Annuities and Reduced Three Pounds *per Centum* Annuities respectively; and, subject to such Preference as aforesaid, such last-mentioned Proprietors shall be entitled, according to the Priority of Time of their respective Assents, to such Exchequer Bonds as may remain to be issued under the Authority of this Act, in the same Manner, as near as may be, as in the Case of Commutation into Two Pounds Ten Shillings *per Centum* Annuities under the Provisions herein contained.

Treasury to regulate the Issue of Exchequer Bonds.

XXXIX. It shall be lawful for the Commissioners of Her Majesty's Treasury, from Time to Time, subject to the Provisions herein contained, by Warrant under their Hands to prescribe and regulate the Method and Form in which Exchequer Bonds under this Act shall be made out and issued, and how and by what Officer or Officers such Exchequer Bonds may be signed or otherwise authenticated, and to provide for the Manner of Payment of the Interest accruing thereon, and for the Issue, if they think fit, of Receipts or Certificates of such Interest annexed to such Bonds or otherwise, and also to provide for the Issue of new Bonds in lieu of any such Bonds worn or defaced which may be delivered up to be cancelled, and for the Issue in lieu of such Exchequer Bonds as may be lost of new Bonds, at such Times, upon such Securities, and under such Conditions and Precautions as they may think fit, and generally to make such Regulations for the Safety and Convenience of the Holders of such Bonds, and the Payment of such Interest upon the Production or Delivery of such Receipts or Certificates, or otherwise, as they may think fit; and it shall be lawful for the said Commissioners, by such Regulations as aforesaid, to provide for the Conversion of any such Bonds as may be delivered up to them by the Holders thereof for that Purpose into Bonds or other Securities for the like Amount of Principal Monies and Interest respectively, which shall be transferable by Entries in a Register which may be provided for that Purpose in such Manner and subject to such Conditions and Restrictions as the said Commissioners may see fit, and every such Warrant shall from Time to Time be published in the *London Gazette.*

Relief in case Exchequer Bonds should be accidentally destroyed.

XL. In case Proof shall be made, on the Oath or Oaths of One or more Witness or Witnesses, before the Lord Chief Baron and other the Barons of the Coif of Her Majesty's Court of Exchequer, or any of them, that any Exchequer Bond issued under this Act, and not redeemed, shall by Casualty or Mischance have been burnt or otherwise destroyed, and if by such Oath or Oaths the Numbers and Sums of such Bond or Bonds shall be ascertained, and the said Chief Baron and other Barons, or any of them, before whom such Oath or Oaths shall be made, shall certify that he or they are satisfied with such Proof, then and in every such Case the Commissioners

sioners of the Treasury are hereby authorized to cause another Bond or other Bonds of equal Amount to be issued, in lieu of such Bond or Bonds so burnt or destroyed; provided the Person or Persons so receiving such new Bond or Bonds do give Security to the Queen, to the Satisfaction of the Commissioners of the Treasury, to deliver up to the Exchequer to be cancelled the Bond or Bonds so certified to be burnt or destroyed, if the same shall be thereafter found or produced, and to pay into the Receipt of the Exchequer, to the Use of the Public, all such Monies as shall have been paid out of the Exchequer as Principal or Interest on the new Bond or Bonds which may have been issued under this Provision.

Persons forging Exchequer Bonds, &c. guilty of Felony.

XLI. If any Person shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Exchequer Bond, or any Receipt or Certificate for Interest accruing thereon, issued under this Act, such Person shall be guilty of Felony, and upon Conviction thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years nor less than Two Years.

Bank to continue a Corporation for the Purposes of this Act until the Annuities hereby granted shall be redeemed.

XLII. The said Governor and Company of the Bank of *England* and their Successors, notwithstanding the Redemption of all or any of their own Funds in pursuance of the Acts for establishing the same or any of them, shall continue a Corporation for the Purposes of this Act, until the Annuities by this Act granted shall be redeemed by Parliament as aforesaid; and the said Governor and Company of the Bank of *England*, or any Member thereof, shall not incur any Disability for or by reason of their doing any Matter or Thing in pursuance of this Act.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1853.

ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

***

shall take place on the Twenty-eighth Day of *April* in the Year of our Lord One thousand eight hundred and fifty-three.

First Election of Local Board for Wallasey.

III. The First Election of the Local Board of Health for the District of *Wallasey*, for the Purposes of the said Public Health Act, shall take place on the Twenty-eighth Day of *April* in the Year of our Lord One thousand eight hundred and fifty-three.

First Election of Local Board for Dudley.

IV. The First Election of the Local Board of Health for the District of *Dudley*, for the Purposes of the said Public Health Act, shall take place on the Twenty-eighth Day of *April* in the Year of our Lord One thousand eight hundred and fifty-three.

First Election of Local Board for Barnsley.

Limiting Amount of Rates leviable within the District of Barnsley.

V. The First Election of the Local Board of Health for the District of *Barnsley*, for the Purposes of the said Public Health Act, shall take place on the Twenty-eighth Day of *April* in the Year of our Lord One thousand eight hundred and fifty-three: Provided always, that the Rates leviable within the District of *Barnsley*, as constituted by the Order in the Schedule to this Act, under the Public Health Act, 1848, or so much of any Local Act as remains unrepealed by the Provisional Order applying to the said Public Health Act within the said District, or any Act incorporated with the said Public Health Act, as applied to the said District by the said Order and this Act, shall not, inclusive of all Highway Rates, in any One Year exceed in the whole the Sum of Four Shillings in the Pound upon the net annual Value of Property assessable thereto within such District.

So much of s. 88. of 11 & 12 Vict. c. 63. as relates to Exemption from rating not to apply to Wakefield.

Power to Local Board of Health to cleanse, &c. running Streams, &c., and the Term "Sewer" to include all Streams in Wakefield.

VI. From and after the Application of the Public Health Act to the Borough of *Wakefield* the last Proviso of Section Eighty-eight of "the Public Health Act, 1848," with respect to Exemptions from rating, shall not apply to any Property within the District constituted by the Provisional Order applying "the Public Health Act, 1848," to the Borough of *Wakefield*, that Act, or any Act supplemental thereto, or this Act, or anything therein respectively contained, to the contrary notwithstanding, but all such Exemptions shall from and after the passing of this Act cease and determine within the said District; and the Local Board of Health for the Borough of *Wakefield* may straighten, deepen, cleanse, and cover all Becks and running Streams within the said Borough, and shall prevent all Pollution thereof by the Discharge of any Sewage, Refuse, Dye Stuff, Washings, or other noxious or offensive Matter therein; and for these Purposes, as well as for the Purposes of Assessment, to defray the Cost of Works in relation thereto, the Word "Sewer" in "the Public Health Act, 1848," shall include all Becks and running Streams of Water within the Borough of *Wakefield*, that Act or any other

other Act supplemental thereto, or this Act, or anything therein respectively contained, to the contrary notwithstanding.

Monies, &c. applicable for Repair of Roads in Divisions of Westgate, Northgate, and Kirkgate, vested in Wakefield Local Board of Health.

VII. The Sum of Six hundred and four Pounds Eleven Shillings by the Award of the Twenty-seventh Day of *April* One thousand eight hundred and five, made by the Commissioners under the Act of the Thirty-third Year of *George* the Third, intituled *An Act for dividing and enclosing the open Common Fields, Ings, Commons, and Waste Grounds within the Townships or Graveships of* Wakefield, Stanley Wrenthorpe, Alverthorpe, *and* Thornes *in the Parish of* Wakefield *in the West Riding of the County of* York, ordered to be invested at Interest upon Government or Real Securities, or in the Purchase of Lands, Tenements, or Hereditaments, and the Interest, Dividends, Rents, and Produce thereof to be applied annually in aid of the Expenses of repairing the public Roads and Ways within the Division of *Westgate* in *Wakefield;* and the Sum of Four hundred and sixty-one Pounds Nine Shillings by that Award ordered to be invested in the like Manner, and the Interest, Dividends, Rents, and Produce thereof to be applied annually in aid of the Expenses of repairing the public Roads and Ways within the Division of *Northgate* in *Wakefield;* and the Sum of Seven hundred and sixty-nine Pounds Seventeen Shillings by that Award ordered to be invested in like Manner, and the Interest, Dividends, and Produce thereof to be applied annually in aid of the Expenses of repairing the public Roads and Ways within the Division of *Kirkgate* in *Wakefield*, or the Securities, Lands, Tenements, or Hereditaments in or upon which those Three Sums, or any of them, or any Part thereof respectively, are invested, shall be by this Act vested absolutely in the *Wakefield* Local Board of Health, with full Power for such Board from Time to Time to alter and vary the Estates, Funds, and Securities in or upon which the same Sums, or any of them, or any Part thereof respectively, are, is, or may be invested, and the Interest, Dividends, Rents, and Produce thereof shall be applied by that Board in and towards the Repairs of the public Highways within the Borough.

Proportion of Money, &c. applicable for Repair of Alverthorpe-cum-Thornes and Stanley-cum-Wrenthorpe vested in Wakefield Local Board of Health.

VIII. A due Part or Proportion of the Sum of One thousand and thirty-two Pounds Three Shillings by that Award ordered to be invested in like Manner, and the Interest, Dividends, Rents, and Produce thereof to be applied annually in aid of the Expenses of repairing the public Roads and Ways within the Township of *Alverthorpe-cum-Thornes*, and a due Part or Proportion of the Sum of One thousand one hundred and thirty-two Pounds by that Award ordered to be invested in like Manner, and the Interest, Dividends, Rents, and Produce thereof to be applied annually in aid of the Expenses of repairing the public Roads and Ways within the Township of *Stanley-cum-Wrenthorpe*, or a due Part or Portion of the Securities, Lands, Tenements, or Hereditaments in or upon which those Two Sums,

or

or either of them, or any Part thereof respectively, are invested (such Part or Proportion to be determined by the Order of the General Board of Health under their Hands and Official Seal), with reference to the total Length of the public Roads and Ways in each of those Two Townships which are partly within and partly without the Borough of *Wakefield*, or (if the General Board of Health by any such Order so determine) a due Part or Proportion (to be determined in like Manner by the General Board of Health) of the Interest, Dividends, Rents, and Produce thereof respectively, shall be by this Act absolutely vested in or (as shall be so determined) shall be from Time to Time paid to the *Wakefield* Local Board of Health, and shall be applied by them annually in aid of the Expenses of repairing the public Highways within the Borough.

Monies now payable for Repair of Roads in Wakefield to be henceforth paid to Wakefield Local Board of Health.

IX. All Persons who, if this Act were not passed, would at any Time be liable to pay any Money to any Surveyors of Highways or others towards the Repair of any public Roads or Ways which the Inhabitants of the Borough or any Part thereof are now liable to repair, shall henceforth pay the same to the *Wakefield* Local Board of Health, instead of to such Surveyors or others, and the same shall be applied by the *Wakefield* Local Board of Health accordingly: Provided always, that nothing herein or in the said Provisional Order contained shall prejudice, lessen, or defeat the Rights or Interests of the Lord of the Manor of *Wakefield*.

Clerk to Wakefield Commissioners may be continued in Office, or, if removed, to be entitled to an Annuity of 40*l*.

X. The Clerk and Agent of the Commissioners acting in execution of the Loca Act recited in the Provisional Order applying the Public Health Act to the Borough of *Wakefield*, whose Office will be superseded by reason of the Transfer of the Powers of the said Commissioners to the Local Board of Health for the said Borough, may, notwithstanding anything in the said Order contained, be continued in his Office after such Transfer of the Powers of the said Commissioners to the said Local Board; and if such Clerk and Agent shall at any Time after the passing of this Act be removed from such Office, he shall, unless he be employed by the said Local Board in an Office of higher Value, be entitled to receive, as a Compensation from the said Local Board for the Emoluments of such Office, an Annuity of Forty Pounds for his natural Life.

Act incorporated with Public Health Act.

XI. This Act shall be deemed to be incorporated with the Public Health Act, and shall be as if this Act and the Public Health Act were One Act.

Short Title.

XII. That in citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Public Health Supplemental Act, 1853 (No. 1.)"

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SCHEDULE.

WAKEFIELD.

Provisional Order for the Application of the Public Health Act to the Borough of Wakefield, in the County of York.

GENERAL BOARD OF HEALTH.

WHEREAS, it having been ascertained from the last Return, for the time being, made up by the Registrar-General of Births, Deaths, and Marriages, that the annual number of deaths within the boundaries of the Borough of Wakefield, in the county of York, as the same were fixed for the purposes of an Act passed in the sixth year of the reign of King William the Fourth, intituled "An Act to provide for the Regulation of Municipal Corporations in "England and Wales," has on an average of seven years exceeded during that period the proportion of twenty-three to a thousand of the population of such Borough, the General Board of Health have, in pursuance of the provisions of that Act, directed William Ranger, a Superintending Inspector, appointed for the purposes of the said Act, to visit the said Borough, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial-grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said Borough, for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Borough, or having relation to the purposes of the said Act; and also as to the natural drainage areas, and the existing municipal, parochial, or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Public Health Act.

And whereas the said Superintending Inspector, having previously given the notices directed by the said Act, proceeded upon the said inquiry, and hath reported in writing to the said General Board upon the several matters with respect to which he was directed to inquire, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of that Act.

And whereas copies of the said Report, accompanied by a notice, stating that written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the time for forwarding such statements has now elapsed, and all such statements as have been received by the said Board have been duly deposited as required by the Act.

And whereas it appears upon such Report that there are certain Local Acts of Parliament in force within the said Borough, having relation to the purposes of the said Public Health Act; (that is to say,)

An Act passed in the eleventh year of the reign of King George the Third, intituled "An Act for the better paving, repairing, and cleansing the "streets, lanes, alleys, and other public passages within that part of the "Town of Wakefield, in the county of York, which lies within the "east end of Westgate-bridge, the south side of Northgate-bar, the north "end of Kirkgate-bridge (except so much thereof as is repaired by the "West Riding of the said County of York), and the extreme part of the

"Township of Wakefield aforesaid, leading from Wrengate towards East "Moor; for preventing nuisances and annoyances therein, and for "widening and rendering the same more commodious;" and also another Act passed in the thirty-sixth year of the same reign, intituled "An "Act for lighting and watching the streets and other public passages and "places within the Town of Wakefield, in the county of York, and for "more effectually cleansing the same, and removing and preventing "obstructions, nuisances, and annoyances therein."

And whereas from such Report it appears that, although the mortality of Wakefield is below that of some of the neighbouring towns, it is still excessive, and that the real cause of this excessive mortality is to be found in the generally defective nature of the existing sanitary arrangements; that certain localities contribute an undue proportion of the mortality of the whole Borough, and that in these quarters there is the least sewerage and drainage, the largest collection of offensive refuse, and the scanticst supply of water; that the unsatisfactory condition of the Borough in these respects may be accounted for by the defective nature of the Local Acts, and the divided jurisdiction exercised by the various public bodies; that this divided jurisdiction further causes unnecessary expense, and effectually prevents the carrying out of general and comprehensive measures; that the existing water supply requires re-adjustment and extension; that the present sewerage and drainage is much too limited in extent, and that where sewers or house drains are laid down, they are, in many cases, defective both in construction and arrangement; that the partial provisions made for either sewerage or house drains have been carried out at various periods and in various ways, instead of on a combined and carefully arranged system, by which alone due efficiency can be secured, and that the present outfalls for the sewage are also highly prejudicial to health; that the present system of cleansing the streets and removing the house refuse is imperfect; that the existing burial-grounds are insufficient, and some of them unfit to be longer used as places of interment; that many portions of the town are insufficiently lighted, particularly a great number of the courts and lanes occupied by the poorer classes; that it would be a means of health and comfort to all, but particularly the poorer classes of the Borough, if public baths and wash-houses were established.

And whereas it appears to the said General Board of Health to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to the said Borough; and that provision should be made with respect to the said Local Acts of Parliament, and the partial repeal, alteration, extension, and further execution thereof; but the same cannot be done without the authority of Parliament.

Now therefore, in pursuance of the power vested in the said Board by the Public Health Act, 1848, we the said General Board of Health, do, by this Provisional Order, under our hands and seal of office direct:—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—In the construction of this Order, and of the sections of the several Acts of Parliament incorporated therewith, the same meanings shall be assigned to certain expressions which are assigned to them by the section numbered 2 in the copies of "The Public Health Act, 1848," printed by Her Majesty's Printer, unless such meanings be repugnant to or inconsistent with the context or subject matter in which such expressions occur.

2.—"The

2.—"The Public Health Act, 1848," and every part thereof relating to corporate districts, except the section numbered 50 in the copies of that Act printed by Her Majesty's Printers, shall apply to the area comprised within the boundaries of the said Borough of Wakefield.

3.—The Mayor, Aldermen, and Burgesses of the said Borough shall be by the Council of the said Borough, the Local Board of Health under the said Public Health Act.

4.—Such parts of the said Local Acts as are specified in the Schedule to this Order shall be repealed, except in so far as relates to anything done before the passing of any Act of Parliament confirming this Order, and except in so far as the same repeal any other Act or Acts of Parliament.

5.—The powers, authorities, and duties of the Commissioners for the time being, acting in execution of the said Local Acts, shall cease; and such of them as are granted or imposed by the unrepealed parts of the said Local Acts shall, so far as they are not repugnant to or inconsistent with the said Public Health Act, or this Order, or any byelaw which shall be lawfully made under the said Public Health Act, be transferred to the said Local Board of Health, and the officers and servants of the said Local Board, and shall be exercised as if they had been granted or imposed by the said Public Health Act; and for this purpose the unrepealed parts of the said Local Acts shall be incorporated with the said Public Health Act as applied to the said Borough, and all places within the limits of the said Borough shall be subject to the unrepealed parts of the said Local Acts.

6.—The said Local Board shall be the Commissioners for executing the unrepealed parts of the said Local Acts.

7.—All property and estate of the Commissioners acting in the execution of the said Local Acts shall be transferred to the said Local Board of Health, and shall, as near as circumstances will permit, be held by the said Local Board of Health upon the same trusts, and for the same purposes, as by such Commissioners.

8.—All debts, monies, and securities for money contracted or payable by such Commissioners shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made; and shall be paid and satisfied by the said Local Board, as by such Commissioners.

9.—Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon the rates leviable under the said Public Health Act, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

10.—Provided also, that if such property and estate be more than sufficient, the surplus shall be applied to the exclusive use of the same parts and to the same purposes as it would have been if this Order had not been made.

11.—All expenses which shall be incurred by the said Local Board of Health under the unrepealed parts of the said Local Acts, and which shall not be defrayed out of monies arising under such Local Acts, shall be deemed to be expenses incurred by such Board under the said Public Health Act, and shall be defrayed out of the rates under that Act (as the nature of the case may require); and the monies necessary to be raised for the purposes of such Local Acts may be raised as under the said Public Health Act.

12.—The

12.—The sections of the Town Police Clauses Act, 1847, with respect to obstructions and nuisances in the streets, and with respect to fires, and with respect to places of public resort, and with respect to hackney carriages; and the sections of the Towns Improvement Clauses Act, 1847, with respect to naming the streets and numbering the houses, and with respect to improving the line of the streets and removing obstructions, and with respect to ruinous or dangerous buildings, and with respect to precautions during the construction and repair of sewers, streets, and houses; and the section with respect to the prevention of nuisances numbered 104; and the sections with respect to the construction of houses for prevention of fire; and the sections with respect to supplying buildings with fresh air, numbered 110 and 111; and the section with respect to clocks; and so much of the sections with respect to things to be done by the Commissioners by special order only, as relates to baths and wash-houses, except so much of the said last-mentioned sections as requires any special order in respect of the matters contained therein, shall be incorporated with the unrepealed parts of the said Local Acts, and with the said Public Health Act, as applied to the said Town, and any Act of Parliament confirming the same; and the expression "The Special Act," used in the said sections, shall be construed to mean the unrepealed parts of the said Local Acts, and the said Public Health Act so applied; and the expression "Limits of the Special Act," used in the same sections, shall be construed to mean the District constituted by this Order, and any Act of Parliament confirming the same; and the expression "the Commissioners," used in the said sections, shall mean the said Local Board.

13.—Provided always, that this Order, and the repeal of the parts of the said Local Acts mentioned in the Schedule thereto, shall not prejudicially affect anything done under those Acts before the passing of any Act of Parliament confirming this Order; but notwithstanding this Order, and the Schedule thereto, all such things shall be as valid with reference to the said Local Board of Health, as if the same had been done with reference to that Board, and may be dealt with in the same manner, in all respects, as if they related to that Board, instead of such Commissioners.

14.—Provided also, that this Order, and the repeal of the parts of the said Local Acts mentioned in the Schedule thereto, shall be without prejudice to any penalties incurred under the said Local Acts, but all such penalties may be recovered by the said Local Board of Health according to the provisions of this Order.

Given under our Hands and under the Seal of the General Board of Health, this Twentieth day of November, in the year of our Lord One thousand eight hundred and fifty-two.

(Signed) SHAFTESBURY.
(L.S.) EDWIN CHADWICK.
T. SOUTHWOOD SMITH.

Schedule to which this Order refers.

The parts of the said Local Acts referred to in this Order to be repealed are as follows; (that is to say,)

All of the said Act of the eleventh year of the reign of George the Third, except so much as excepts from rates certain property therein mentioned

The

The sections numbered respectively in the copies of the said Act of the thirty-sixth year of the same reign, printed by the King's Printers, 1 to 21, 23 to 35, all inclusive.

And so much of any unrepealed part of the said Acts, or of any Act by this Order incorporated therewith, or with the Public Health Act, 1848, as fixes the amount of any penalty for any offence under any of the said Acts, wherever the penalty for such offence shall have been fixed by the Public Health Act, 1848, or by any byelaw of the Local Board of Health, made under and by virtue of the said Public Health Act, at an amount other than that fixed by any of the said first-mentioned Acts.

ELLAND.

Provisional Order for the Application of the Public Health Act to the District of Elland, in the County of York.

GENERAL BOARD OF HEALTH.

WHEREAS the General Board of Health have, upon the joint petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the township of Elland-cum-Greetland, in the county of York, (the number of the said petitioners exceeding thirty in the whole,) directed William Ranger, one of their Superintending Inspectors, to visit the said township, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said township for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said township, or having relation to the purposes of the said Act; also as to the natural drainage areas, and the existing parochial or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices required by the said Act, proceeded upon the said inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the several matters with respect to which he was so directed to inquire as aforesaid, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of the said Act.

And whereas copies of the said Report, accompanied by a notice, stating that, within the time directed by the said Act, written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed; and all such statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it having appeared to the said General Board that the boundaries which might be most advantageously adopted for the purposes of the Act were not the same as those of the said township, with respect to which the said inquiry had been made, the said Board caused the said William Ranger to visit the parts within the boundaries proposed to be adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, after having given such notice as is required by the said Act, did hear all persons desirous of being heard before him on the subject of the said Report, and did make further inquiry and report according to the directions of the said Board.

And whereas copies of such further Report, accompanied by a notice stating that, within the time directed by the said Act, written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said last-mentioned Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed; and all such statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it appears to the said General Board to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to so much of the said township as is included within the boundaries described in the Schedule to this Order, being the same as the boundary line coloured yellow in the map accompanying the said first Report of the said William Ranger, and being the same within which the said inquiry and further inquiry have been made; but the same cannot be done without the authority of Parliament.

Now, therefore, in pursuance of the powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under our Hands and Seal, direct:—

That, from and after the passing of any Act of Parliament confirming the present Order,—

1. The Public Health Act, except the Section numbered 50 in the copies of that Act printed by Her Majesty's Printers, shall apply to the area comprised within so much of the said township of Elland-cum-Greetland as is contained within the yellow line referred to as "proposed boundary" in the plan annexed to the said first Report of the said William Ranger, and described in the Schedule to this Order annexed.
2. The Local Board of Health for the said district shall consist of nine persons, and that the entire number shall be elected for the whole of the said district.
3. One third in number of the persons so elected shall go out of office on the Twenty-fifth day of March in each year subsequent to that of the first election of the said Local Board.
4. Every person shall, at the time of his election as member of the said Local Board, and so long as he shall continue in office by virtue of such election, be resident, as in the Public Health Act, 1848, is required, and be seised and possessed of real or personal estate, or both, to the value or amount of not less than three hundred pounds, or shall be so resident and rated to the relief of the poor of some parish, township, or place of which some part is within the said district, upon an annual value of not less than seven pounds ten shillings.
5. At the first election of the said Local Board, David Meredith, Clerk, shall have the powers and perform the duties which it may be requisite for him to perform in conducting the said first election; and in case the said David Meredith, from illness or other sufficient cause, shall

shall be unable to discharge such duties, or shall be absent, or shall refuse to act, then George Bayldon Baker, Esq. shall perform such of those duties as then remain to be exercised or performed.

6. The fourteen days notice of qualification required by the Public Health Act, 1848, to be given by owners of property in order to entitle them to vote at the said first election shall be given to the said David Meredith, at his residence, Calder Cottage, within the aforesaid district of Elland; or in case he shall refuse or be unable to receive the same, then to the said George Bayldon Baker, at his residence, South House, likewise within the district of Elland aforesaid.

Given under our Hands and under the Seal of the General Board of Health, this Ninth day of November, in the year of our Lord One thousand eight hundred and fifty-two.

(Signed) SHAFTESBURY.
(L. S.) EDWIN CHADWICK.
T. SOUTHWOOD SMITH.

Schedule.

The following is the description of the boundary of the district of Elland referred to in the above Order:—

The boundary of the district of Elland-cum-Greetland, in the parish of Halifax, in the West Riding of the county of York, (as marked by a yellow line drawn on the plan of the township of Elland, prefixed to the first Report on Elland-cum-Greetland, made by Mr. Ranger to the General Board of Health, and dated 25th July 1851, and described on that plan as the "proposed boundary") commences at an angle formed by the Lancashire and Yorkshire Railway and a line running southwards and coinciding with the fence which forms the western boundary of a field the property of the Reverend J. Dine, and numbered on the plan of the said township 884 and 883, and thence taking a circuitous direction to the north-west, and terminated at the north-west extremity of a field No. 882, and thence directly south to a junction with the road leading to Elland Lower Edge, meeting it at the north-east corner of a field No. 774, and thence along the north fence of this field; it then takes a direct western direction to the north-west corner of a field numbered 783, the property of Messrs. Sunderlands, along the north fence of a field No. 795, belonging to the said parties; thence it continues a westward course to Canker Dyke, and meeting at the north-west corner of a field No. 793, the property of Messrs. C. and A. Pitchforth, and turning southwards to the north-west corner of a field No. 629, the property of Mr. Jno. Hamerton, takes a north-westerly direction to the northern extremity of a field No. 622, the property of Mr. David Garsed; it then bends again southward to its junction with the Halifax and Huddersfield turnpike road, meeting at the north-west angle of a field No. 621, and passing southwards on the west side of the turnpike road, diverts to a south-western direction from the north-east corner of a field No. 593, to the east corner of a field No. 584, the property of Mrs. Langdale; it thence continues on the north fence of the said fields numbered respectively 584 and 583, to the northern corner of a field No. 601, the property of Mr. Vickers; then turning in a north-eastern direction along the fence of a field No. 602, the property of the executors of the late Mr. John Milner, runs on the eastern fence

fence of the said field to its junction with South Lane, at the north-eastern extremity of the said field; thence it takes a western direction along the north side of South Lane to the south-eastern extremity of a field No. 202, running along the eastern fence of the last said field and half way on the eastern fence of the field No. 203, turning to the south-eastern corner of a field No. 204, the property of Mrs. Langdale, and continuing on the eastern fence of the said field, and afterwards successively on the eastern and northern fence of a field No. 205, it turns directly north along Cross Lane to its junction with Townfield Lane, at the north-eastern angle of a field No. 206, the property of the Earl of Scarborough; it thence runs directly west on the north side of the said Townfield Lane to the south-eastern angle of a field No. 260, and turns directly north along the eastern fence of the last said field, and along the eastern fence of a field No. 154, crossing the road leading from Elland to Hullen Edge, at the north-east corner of the said field No. 154, continuing in the same northern direction across the Elland and Rochdale turnpike road, and across the Elland and Saddleworth turnpike road, and crossing a field about the middle of No. 152, called Pike Purse, the property of Sir Joseph Radcliff, to the middle of the River Calder; thence taking an eastern direction along the middle of the said River Calder, it turns northwards at the eastern extremity of the property belonging to the Reverend John Ashworth, and runs across Bridge Field, the property of the Earl of Scarborough, No. 983; then crosses the Calder and Hebble Navigation Company's canal, and running across a field called Long Lees and No. 990, the property of the Earl of Scarborough, crosses the Halifax and Huddersfield turnpike road, running up to the eastern fence of Elland Wood, and continuing to the south-eastern corner of a field No. 1,046, the property of the Earl of Scarborough; then turning eastward along the south fence of a field No. 1,044, to its junction with Exley Lane, it continues on the east side of Exley Lane to its junction with the Halifax and Wakefield turnpike road; thence running on the north side of the said Halifax and Wakefield turnpike road to the north-eastern side of the Lancashire and Yorkshire Railway, it continues on the north-eastern side of the said Lancashire and Yorkshire Railway as far as the western fence of the property of the Reverend J. Dine, Nos. 883 and 884 on the said township plan first described.

WALLASEY.

Provisional Order for the Application of the Public Health Act, 1848, *to the District of Wallasey, in the County of Chester.*

GENERAL BOARD OF HEALTH.

WHEREAS in pursuance of the Public Health Act, 1848, the General Board of Health, upon the joint petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the Township of Poulton-cum-Seacombe, in the Parish of Wallasey, in the County of Chester, (the number of the said petitioners exceeding thirty in the whole,) directed Robert Rawlinson, one of their Superintending Inspectors, to visit the said Township, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said Township for paving, lighting, cleansing, watching, regulating,

regulating, supplying with water, or improving the said Township, or having relation to the purposes of the said Act; also, as to the natural drainage areas, and the existing parochial or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices required by the said Act, proceeded upon the said inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the several matters with respect to which he was so directed to inquire as aforesaid, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of the said Act.

And whereas copies of the said Report, accompanied by a notice stating, that within the time directed by the said Act, written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed, and all such statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it having appeared to the said General Board that the boundaries which might be most advantageously adopted for the purposes of the said Act were not the same as those of the said Township with respect to which the said inquiry had been made, the said Board caused the said Robert Rawlinson to visit the parts within the boundaries proposed to be adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, after having given such notice as is required by the said Act, did hear all persons desirous of being heard before him on the subject of the said Report, and did make further inquiry and report according to the directions of the said Board.

And whereas copies of such further Report, accompanied by a notice stating that, within the time directed by the said Act, written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed, and all such statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it appears upon such Reports that there is a certain Local Act in force within the said Township having relation to the purposes of the said Public Health Act, that is to say,

> An Act passed in the Eighth Year of the Reign of Her present Majesty Queen Victoria, intituled "An Act for paving, lighting, watching, "cleansing, and otherwise improving the Parish of Wallasey, in the "County of Chester; and for establishing a police, and also a market, "within the said parish; and for other purposes."

And whereas it appears to the said General Board to be expedient that the said Public Health Act should be applied to a district included within the same boundaries as those of the herein-before recited Local Act, subject to the extension hereafter mentioned, being the boundaries within which the said inquiry and further inquiry have been made, and that provision should be made in respect to the said Local Act of Parliament, and the repeal, alteration, exten-

sion, and future execution thereof, but the same cannot be done without the authority of Parliament.

Now, therefore, in pursuance of the powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under our hands and official seal, direct, That from and after the day appointed for the first election of the Local Board of Health by any Act of Parliament confirming this Order:—

1.—The Public Health Act, and every part thereof, except the Sections numbered 50 and 109 in the copies of that Act printed by Her Majesty's Printers, shall apply to the area comprised within the jurisdiction of the Commissioners under the herein-before recited Local Act, and to the strand or shore between high and low water mark of the Irish Sea, bounding such part of the said area as is in the Township of Wallasey, subject to any rights of the Crown therein; and such area so extended shall constitute a district called the Wallasey District, for the purposes of the said Public Health Act.

2.—The Local Board of Health shall consist of fifteen persons, of whom six shall be elected by the owners of and ratepayers in respect of property in the township of Poulton-cum-Seacombe, six by the owners of and ratepayers in respect of property in the township of Liscard, and the remaining three by owners of and ratepayers in respect of property in the township of Wallasey.

3.—One third in number of the said Local Board shall go out of office on the day next after the expiration of a year from the day appointed by Parliament for the first election of the said Local Board, and so on annually; so that two of the members elected for the townships of Poulton-cum-Seacombe and Liscard respectively, and one of the members elected for the township of Wallasey, shall go out every year.

4.—Every person shall, when elected, and while he continues a member of the said Local Board, be resident, as in the Public Health Act, 1848, is required, and be possessed of real or personal estate or both, to the amount of not less than one thousand pounds, or shall be so resident and rated to the relief of the poor of the said parish, or of some township or place of which some part is within the said district, upon an annual value of not less than thirty pounds.

5.—At the first election of the said Local Board, Isaac Penny, Esquire, of Poulton-cum-Seacombe, within the aforesaid district of Wallasey, shall perform the duties which it may be requisite for him to perform in conducting the said first election; and in case the said Isaac Penny, from illness or other sufficient cause, shall be unable to discharge such duties, or shall be absent, or shall refuse to act, then Henry Pooley, Esquire, of Liscard, likewise within the district of Wallasey aforesaid, shall perform such of the said duties as then remain to be performed.

6.—The fourteen days notice of qualification required by the Public Health Act, 1848, to be given by owners of property in order to entitle them to vote at the said first election shall be given to said Isaac Penny, at his dwelling-house in Poulton-cum-Seacombe, within the aforesaid district of Wallasey; or in case he shall refuse or be unable to receive the same, then to the said Henry Pooley, at his dwelling-house in Liscard, likewise within the district of Wallasey aforesaid.

7.—The

7.—The parts of the said Local Act specified in the Schedule to this Order shall be repealed, except in so far as the same repeal any other Act or Acts of Parliament.

8.—All the powers of the Commissioners under the said Local Act shall cease, and those of their officers shall cease from the time appointed by order under the hands and seal of office of the said Local Board.

9.—Such of the said powers as are granted by the unrepealed parts of the said Local Act shall, so far as the same are not repugnant to or inconsistent with the said Public Health Act, or this Order, or any byelaw lawfully made under the said Public Health Act, be transferred to the said Local Board of Health, and the officers of the said Local Board, and shall be exercised in the same manner as if such powers had been granted by the said Public Health Act.

10.—The said Local Board shall be the Commissioners for executing the unrepealed parts of the said Local Acts. And they shall have the like powers of nominating and electing out of their own body persons to be trustees of the Birkenhead Docks, under the provisions of an Act of the 11th and 12th Vict. c. 144, intituled "An Act to amend the several Acts "relating to the Birkenhead Commissioners Docks, and to transfer the "several powers of the said Commissioners to a Corporate Body to "be entitled the Trustees of the Birkenhead Docks and for other pur-"poses," as are thereby vested in the Commissioners under the said Local Act.

11.—The provisions (except as aforesaid) of the said Public Health Act may, whenever practicable, be applied to anything which shall arise under the unrepealed parts of the said Local Act, and such unrepealed parts shall be incorporated with the said Public Health Act.

12.—All property and estate whatsoever of the Commissioners under the said Local Act shall be transferred to the said Local Board of Health, and shall be held by them upon the same trusts and for the same purposes as by such Commissioners.

13.—All debts, monies, and securities for money, contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.

14.—Provided always, that if such property and estate be insufficient, the deficiency shall be charged upon the rates leviable under the said Public Health Act, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

15.—Provided also, that if such property and estate be more than sufficient, the surplus shall be applied to the use of the same parts and to the same purposes as it would have been if this Order had not been made.

16.—All expenses which shall be incurred by the said Local Board of Health under the unrepealed parts of the said Local Act, and not defrayed out of the monies arising under that Local Act, shall be deemed to be expenses incurred under the said Public Health Act, and shall be defrayed out of the rates under that Act (as the nature of the case may require); and the monies necessary to be raised for the purposes of such Local Act may be raised as under the said Public Health Act.

17.—The

17.—The sections of the Towns Police Clauses Act, 1847, with respect to—

The appointment and the powers, duties, and privileges of constables;

And obstructions and nuisances in the streets, and fires, and places of public resort, and hackney carriages;

And with respect to public bathing;

And the sections of the Towns Improvement Clauses Act, 1847, with respect to—

Naming the streets and numbering the houses, and improving the line of the streets and removing obstructions;

And ruinous or dangerous buildings;

And precautions during the construction and repair of sewers, streets, and houses;

And the section with respect to the prevention of nuisances, numbered 104;

And the sections with respect to the prevention of smoke;

And the sections with respect to the construction of houses for prevention of fire;

And the sections with respect to supplying buildings with fresh air, numbered 110 and 111;

And clocks;

And so much of the sections with respect to things to be done by the Commissioners by special order only, as relate to baths and wash-houses, except so much of the said last-mentioned sections as requires any special order in respect of the matters contained therein;

And the sections of the Markets and Fairs Clauses Act, 1847, with respect to the construction of the market or fair and the works connected therewith, except so much thereof as relates to lands taken compulsorily;

And the holding of the market or fair, and the protection thereof:

And slaughter-houses;

And with respect to weighing goods and carts;

And stallages, rents, and tolls;

And byelaws;

Shall be incorporated with so much of the said Local Act as remains unrepealed by this Order, and with the said Public Health Act, as applied to the said Town by this Order, and any Act of Parliament confirming the same; and the expression "The Special Act," used in the said sections, shall be construed to mean the unrepealed part of the said Local Act, and the said Public Health Act so applied; and the expression "Limits of the Special Act," used in the same sections, shall be construed to mean the District constituted by this Order; and the expression "the Commissioners," used in the said sections, shall mean the said Local Board.

18.—The said Local Board may exercise with regard to horses, mules, or asses let for hire the same powers as to the licensing of the owners, drivers, or persons attending upon the same, and as to their regulation, and for imposing penalties upon such persons as they are empowered to exercise in the case of hackney carriages and the drivers thereof.

19.—Provided

19.—Provided always, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall not prejudicially affect anything done under that Act before the passing of any Act of Parliament confirming this Order, but notwithstanding this Order and the Schedule thereto, all such things shall be as valid, with reference to the said Local Board of Health, as if the same had been done with reference to that Board, and may be dealt with in the same manner in all respects as if they related to that Board instead of such Commissioners.

20.—Provided also, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall be without prejudice to any penalties incurred under that Act, but all such penalties may be recovered by the said Local Board of Health, according to the provisions of this Order.

Given under our Hands and under the Seal of the General Board of Health, this Ninth day of November in the year of our Lord One thousand eight hundred and fifty-two.

(Signed) SHAFTESBURY.
(L.S.) EDWIN CHADWICK.
T. SOUTHWOOD SMITH.

Schedule to which this Order refers.

The parts of the Local Act referred to in this Order to be repealed are as follows; that is to say:—

The sections numbered respectively in the copies of the said Act printed by the Queen's Printers, 1 to 5, 7 to 16, all inclusive; 18 to 62, 64 to 68, 70 to 83, 90 to 117, 119 to 141, 143 to 152, 157 to 165, 172 to 181, 183 to 186, 189 to 191, and 199 to 235, all inclusive; so much of 236 and 237 as relates to drivers of hackney carriages; 238, 239, so much of 240, 242, and 243 as relates to drivers of hackney carriages; 241, 244, 245, except so much as provides for the regulation of loads, rates, fares, and prices of errand, message, or luggage porters, and their behaviour and conduct, and the punishment of the same; 247 to 250, 252 to 255, 258 to 277, 281 to 292, 295 to 299, 301 to 323, all inclusive, 325, 326, and 328.

And so much of any unrepealed part of the said Act as fixes the amount of any penalty for any offence under the said Act, wherever the penalty for such offence is fixed by the Public Health Act, or any Act hereby incorporated therewith, or by any Byelaw of the Local Board of Health, at an amount other than that fixed by the said Local Act.

DUDLEY.

Provisional Order for the Application of the Public Health Act, 1848, *to the Parish of Dudley, in the County of Worcester.*

GENERAL BOARD OF HEALTH.

WHEREAS it having been ascertained from the last return for the time being, made up by the Registrar-General of Births, Deaths, and Marriages, that the annual number of deaths within the boundaries of the Parish of Dudley has

on the average of seven years exceeded the proportion of twenty-three to a thousand of the population of such Parish, the General Board of Health directed William Lee, one of their Superintending Inspectors, to visit the said Parish, and to make public inquiry, and to examine witnesses, as to the sewerage, drainage, and supply of water, the state of the burial grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said Parish for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Parish, or having relation to the purposes of the said Act; also, as to the natural drainage areas, and the existing parochial or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices required by the said Act, proceeded upon the said inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the several matters with respect to which he was so directed to inquire as aforesaid, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of the said Act.

And whereas copies of the said Report, accompanied by a notice stating that, within the time directed by the said Act, written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed, and no such statements have been received by the said Board.

And whereas it appears upon such Report that there is a certain Local Act in force within the said Parish having relation to the purposes of the said Public Health Act, that is to say,

> An Act passed in the Thirty-first Year of the Reign of King George the Third, intituled "An Act for paving, cleansing, lighting, watching, and "otherwise improving the Town of Dudley, in the County of Worcester, "and for better supplying the said Town with Water."

And whereas from such Report it appears that the official registers show an excessive rate of mortality in the Parish, and that the health of the Parish would be much improved by proper supplies of water for domestic and sanitary purposes; by efficient drainage of houses and courts; by the abolition of open cesspools, and the substitution of soil-pan apparatus, with water for carrying off house refuse; by better paving and cleansing of streets, courts, and alleys; and that such improvements may be carried out with great pecuniary saving to the inhabitants.

And whereas it appears to the said General Board to be expedient that the said Public Health Act should be applied to the said Parish, and that provision should be made in respect to the said Local Act of Parliament, and the repeal, alteration, extension, and future execution thereof, but the same cannot be done without the authority of Parliament.

Now therefore, in pursuance of the powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under our hands and official seal, direct, That from and after the day appointed for the first election of the Local Board of Health by any Act of Parliament confirming this Order:—

1.—The

General Board of Health.

1.—The Public Health Act, and every part thereof, except the Section numbered 50 in the copies of that Act printed by Her Majesty's Printers, shall apply to the Parish of Dudley, in the County of Worcester.

2.—The Local Board of Health for the said Parish shall consist of fifteen persons, all of whom shall be elected for the whole of the said Parish.

3.—One third in number of the said Local Board shall go out of office on the day next after the expiration of a year from the day appointed by Parliament for the first election of the said Local Board, and so on annually.

4.—Every person shall, when elected, and while he continues a member of the said Local Board, be resident as in the Public Health Act, 1848, is required, and be possessed of real or personal estate, or both, to the amount of not less than one thousand pounds, or shall be so resident and rated to the relief of the poor of the said Parish, or of some township or place of which some part is within the said district, upon an annual value of not less than thirty pounds.

5.—At the first election of the said Local Board, the Reverend James Caulfeild Browne, D.C.L., Vicar of Dudley, shall perform the duties which it may be requisite for him to perform in conducting the said first election; and in case the said James Caulfeild Browne, from illness or other sufficient cause, shall be unable to discharge such duties, or shall be absent, or shall refuse to act, then Joseph Green Bourne, Esq., solicitor, Dudley, shall perform such of the said duties as then remain to be performed.

6.—The fourteen days' notice of qualification required by the Public Health Act, 1848, to be given by owners of property in order to entitle them to vote at the said first election shall be given to the said James Caulfeild Browne, at his residence, the Vicarage, Dudley; or in case he shall refuse or be unable to receive the same, then to the aforesaid Joseph Green Bourne, at his residence, likewise within the district of Dudley aforesaid.

7.—The parts of the said Local Act specified in the Schedule to this Order shall be repealed, except in so far as relates to any exemptions from rates contained therein, and except so far as the same repeal any other Act or Acts of Parliament.

8.—All the powers of the Commissioners under the said Local Act shall cease, and those of their officers shall cease, from the time appointed by order under the hands and seal of office of the said Local Board.

9.—Such of the said powers as are granted by the unrepealed parts of the said Local Act shall, so far as the same are not repugnant to or inconsistent with the said Public Health Act, or this Order, or any byelaw lawfully made under the said Public Health Act, be transferred to the said Local Board of Health, and the officers of the said Local Board, and shall be exercised in the same manner as if such powers had been granted by the said Public Health Act.

10.—The said Local Board shall be the Commissioners for executing the unrepealed parts of the said Local Acts.

11.—The provisions (except as aforesaid) of the said Public Health Act may, whenever practicable, be applied to anything which shall arise under the unrepealed parts of the said Local Act, and such unrepealed parts shall

shall be incorporated with the said Public Health Act, and shall be extended to the whole of the said parish.

12.—All property and estate whatsoever of the Commissioners under the said Local Act shall be transferred to the said Local Board of Health, and shall be held by them upon the same trusts and for the same purposes as by such Commissioners.

13.—All debts, monies, and securities for money, contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.

14.—Provided always, that if such property and estate be insufficient, the deficiency shall be charged upon the rates leviable under the said Public Health Act, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

15.—Provided also, that if such property and estate be more than sufficient, the surplus shall be applied to the use of the same parts and to the same purposes as it would have been if this Order had not been made.

16.—All expenses which shall be incurred by the said Local Board of Health under the unrepealed parts of the said Local Act, and not defrayed out of the monies arising under that Local Act, shall be deemed to be expenses incurred under the said Public Health Act, and shall be defrayed out of the rates under that Act (as the nature of the case may require); and the monies necessary to be raised for the purposes of such Local Act may be raised as under the said Public Health Act.

17.—Provided always, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall not prejudicially affect anything done under that Act before the passing of any Act of Parliament confirming this Order, but notwithstanding this Order and the Schedule thereto, all such things shall be as valid, with reference to the said Local Board of Health, as if the same had been done with reference to that Board, and may be dealt with in the same manner in all respects as if they related to that Board instead of such Commissioners.

18.—Provided also, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall be without prejudice to any penalties incurred under that Act, but all such penalties may be recovered by the said Local Board of Health, according to the provisions of this Order.

Given under our Hands and under the Seal of the General Board of Health, this Twenty-second day of November in the year of our Lord One thousand eight hundred and fifty-two.

(Signed) SHAFTESBURY.
(L.S.) EDWIN CHADWICK.
T. SOUTHWOOD SMITH.

Schedule to which this Order refers.

The parts of the Local Act referred to in this Order to be repealed are as follows; that is to say:—

The sections numbered respectively in the copies of the said Act printed by the King's Printers, 1 to 12 both inclusive; 14, 15, 31 to 51 both inclusive.

And

And so much of any unrepealed part of the said Act as fixes the amount of any penalty for any offence under the said Act, wherever the penalty for such offence is fixed by the Public Health Act, or any Act hereby incorporated therewith, or by any Byelaw of the Local Board of Health, at an amount other than that fixed by the said Local Act.

BARNSLEY.

Provisional Order for the Application of the Public Health Act, 1848, *to the District of Barnsley, in the County of York.*

GENERAL BOARD OF HEALTH.

WHEREAS in pursuance of the Public Health Act, 1848, the General Board of Health, upon the joint petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the Township of Barnsley in the County of York, (the number of the said petitioners exceeding thirty in the whole) directed William Ranger, one of their Superintending Inspectors, to visit the said Township, and to make public inquiry, and to examine witnesses, as to the sewerage, drainage, and supply of water, the state of the burial grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said Township for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Township, or having relation to the purposes of the said Act; also, as to the natural drainage areas, and the existing parochial or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices required by the said Act, proceeded upon the said inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the several matters with respect to which he was so directed to inquire as aforesaid, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of the said Act.

And whereas copies of the said Report, accompanied by a notice stating that, within the time directed by the said Act, written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed, and all such statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it appears upon such Report that there is a certain Local Act in force within the said Township having relation to the purposes of the said Public Health Act, that is to say,

> An Act passed in the Third Year of the Reign of King George the Fourth, intituled "An Act for lighting, paving, cleansing, watching, "and improving the Town of Barnsley, in the West Riding of the "County of York."

And whereas it appears to the said General Board to be expedient that the said Public Health Act should be applied to the said Township, and that provision should be made in respect to the said Loca Act of Parliament, and the

repeal, alteration, extension, and future execution thereof; but the same cannot be done without the authority of Parliament.

Now, therefore, in pursuance of the powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under our hands and official seal, direct,

That from and after the day appointed for the first election of the Local Board of Health by any Act of Parliament confirming this Order :—

1.—The Public Health Act, and every part thereof, except the Section numbered 50 in the copies of that Act printed by Her Majesty's Printers, shall apply to the said Township.

2.—The Local Board of Health shall consist of eighteen persons, to be elected for the whole of the said Township.

3.—One third in number of the said Local Board shall go out of office on the day next after the expiration of a year from the day appointed by Parliament for the first election of the said Local Board, and so on annually.

4.—Every person shall, when elected, and while he continues a member of the said Local Board, be resident, as in the Public Health Act, 1848, is required, and be possessed of real or personal estate, or both, to the amount of not less than one thousand pounds, or shall be so resident and rated to the relief of the poor of the said Township, or of some township or place of which some part is within the said District, upon an annual value of not less than thirty pounds.

5.—At the first election of the said Local Board, William Harrison Peacock, of Barnsley, solicitor, shall perform the duties which it may be requisite for him to perform in conducting the said first election; and in case the said William Harrison Peacock, from illness or other sufficient cause, shall be unable to discharge such duties, or shall be absent, or shall refuse to act, then the Clerk for the time being to the Guardians of the Poor for the Union of Barnsley, in the said County of York, shall perform such of the said duties as then remain to be performed.

6.—The fourteen days notice of qualification required by the Public Health Act, 1848, to be given by owners of property in order to entitle them to vote at the said first election shall be given to the said William Harrison Peacock, at his office in Barnsley; or in case he shall refuse or be unable to receive the same, then to the said Clerk to the said Union, at his office in Barnsley aforesaid.

7.—The parts of the said Local Act specified in the Schedule to this Order shall be repealed, except in so far as the same repeal any other Act or Acts of Parliament.

8.—All the powers of the Commissioners under the said Local Act, and those of their officers and servants, shall wholly cease.

9.—Such of the said powers as are granted by the unrepealed parts of the said Local Act shall, so far as the same are not repugnant to or inconsistent with the said Public Health Act, or this Order, or any Byelaw lawfully made under the said Public Health Act, be transferred to the said Local Board of Health, and the officers of the said Local Board, and shall be exercised in the same manner as if such powers had been granted by the said Public Health Act.

10.—The said Local Board shall be the Commissioners for executing the unrepealed parts of the said Local Act.

11.—The

General Board of Health.

11.—The provisions (except as aforesaid) of the said Public Health Act may, whenever practicable, be applied to anything which shall arise under the unrepealed parts of the said Local Act, and such unrepealed parts shall be incorporated with the said Public Health Act, and shall extend to the whole of the said Township.

12.—All property and estate whatsoever of the Commissioners under the said Local Act shall be transferred to the said Local Board of Health, and shall be held by them upon the same trusts and for the same purposes as by such Commissioners.

13.—All debts, monies, and securities for money, contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.

14.—Provided always, that if such property and estate be insufficient, the deficiency shall be charged upon the rates leviable under the said Public Health Act, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

15.—Provided also, that if such property and estate be more than sufficient, the surplus shall be applied to the use of the same parts and to the same purposes as it would have been if this Order had not been made.

16.—All expenses which shall be incurred by the said Local Board of Health under the unrepealed parts of the said Local Act, and not defrayed out of the monies arising under that Local Act, shall be deemed to be expenses incurred under the said Public Health Act, and shall be defrayed out of the rates under that Act (as the nature of the case may require); and the monies necessary to be raised for the purposes of such Local Act may be raised as under the said Public Health Act.

17.—The sections of the Towns Improvement Clauses Act, 1847, with respect to—

Naming the streets, and numbering the houses;
Improving the line of the streets, and removing obstructions;
Ruinous or dangerous buildings;
Precautions during the construction and repair of the sewers, streets, and houses;
The abatement of nuisances numbered 104, 105, and 106;
The prevention of smoke;
The construction of houses for the prevention of fire;
The supplying buildings with fresh air;
Public bathing places and drying-grounds, except so much thereof as requires any special order for doing anything contained therein;
Clocks:

And also the sections of the Towns Police Clauses Act, 1847, with respect to—

The appointment, powers, duties, and privileges of constables;
Obstructions and nuisances in the streets;
Fires;
Places of public resort;
Hackney carriages;
Byelaws:

And

And (in the event of the purchase by the said Local Board acting as Commissioners in the execution of the unrepealed parts of the said Local Act, of market and fair rights, and other matters and things pertaining thereto under the 74th section of the said Local Act) the sections of the Markets and Fairs Clauses Act, 1847, with respect to the construction of the market or fair and the works connected therewith, except so much thereof as relates to lands taken compulsorily; and the holding of the market or fair, and the protection thereof;

And slaughter-houses,

And weighing goods and carts,

And stallages, rents, and tolls,

And byelaws;

Shall be incorporated with so much of the said Local Act as remains unrepealed by this Order, and with the said Public Health Act, as applied to the said Township by this Order, and any Act of Parliament confirming the same; and the expression "The Special Act," used in the said sections, shall be construed to mean the unrepealed parts of the said Local Act, and the said Public Health Act so applied; and the expression "Limits of the Special Act," used in the same sections, shall be construed to mean the district constituted by this Order; and the expression "the Commissioners," used in the said sections, shall mean the said Local Board.

18.—Provided always, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule to this Order, shall not prejudicially affect anything done under that Act before the passing of any Act of Parliament confirming this Order, but notwithstanding this Order and the Schedule thereto, all such things shall be as valid, with reference to the said Local Board of Health, as if the same had been done with reference to that Board, and may be dealt with in the same manner in all respects as if they related to that Board instead of such Commissioners.

19.—Provided also, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule hereto annexed, shall be without prejudice to any penalties incurred under that Act, but all such penalties may be recovered by the said Local Board of Health, according to the provisions of this Order.

Given under our Hands and under the Seal of the General Board of Health, this Ninth day of November, in the year of our Lord One thousand eight hundred and fifty-two.

(Signed) SHAFTESBURY.

(L.S.) EDWIN CHADWICK.

T. SOUTHWOOD SMITH.

Schedule to which this Order refers.

The parts of the Local Act referred to in this Order to be repealed are as follows; that is to say:—

The sections numbered respectively in the copies of the said Act printed by the Queen's Printers, 1 to 34, 37 to 39, 43 to 60, all inclusive; 61, 62, 65 to 73, 75 to 92, 94 to 96, and 99 to 141, all inclusive.

And

And so much of any unrepealed part of the said Act as fixes the amount of any penalty for any offence under the said Act, wherever the penalty for such offence is fixed by the Public Health Act, or any Act hereby incorporated therewith, or by any Byelaw of the Local Board of Health, at an amount other than that fixed by the said Local Act.

DORCHESTER.

Provisional Order for the Application of the Public Health Act to the Borough of Dorchester, in the County of Dorset.

GENERAL BOARD OF HEALTH.

WHEREAS, it having been ascertained from the last Return, for the time being, made up by the Registrar-General of Births, Deaths, and Marriages, from the deaths registered in a period of not less than seven years, to wit, the period commencing the first day of September in the year of our Lord 1838 and ending on the thirty-first day of August in the year of our Lord 1844, that the number of deaths annually within the boundaries of the four parishes of All Saints, St. Peter, Holy Trinity, and Fordington, in the county of Dorset, within which is situate the borough of Dorchester, has on an average exceeded during that period the proportion of twenty-three to a thousand of the population of such Parishes, the General Board of Health have directed Robert Rawlinson, one of their Superintending Inspectors, to visit the said Parishes, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial-grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said Parishes, for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Parishes, or having relation to the purposes of the said Act; and also as to the natural drainage areas, and the existing municipal, parochial, or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Public Health Act.

And whereas the said Superintending Inspector, having previously given the notices directed by the said Act, proceeded upon the said inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the several matters with respect to which he was directed to inquire, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of that Act.

And whereas copies of the said Report, accompanied by a notice, stating that written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as directed by the Public Health Act, and the time for forwarding such statements has now elapsed, and no such statements have been received by the said Board.

And whereas it having appeared to the said General Board that the boundaries which might be most advantageously adopted for the purposes of the said Act were not the same as those of the said Town with respect to which the said inquiry had been made, the said Board caused the said Robert Rawlinson to visit the parts within the boundaries proposed to be adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, after having given such notice as is required by the said Act, did hear all persons desirous of being heard before him on the subject of the said Report, and did make further inquiry and report according to the directions of the said Board.

And whereas copies of such further Report, accompanied by a notice stating that, within the time directed by the said Act, written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed, and no such statements have been received by the said Board.

And whereas it appears upon such Report, and further Report, that there is a certain Local Act of Parliament in force within the said Parishes, having relation to the purposes of the said Public Health Act, (that is to say,)

An Act passed in the fourth year of the reign of King William the Fourth, intituled "An Act for better paving, cleansing, lighting, "watching, watering, and otherwise improving the streets and other "public passages and places within the Borough of Dorchester, in the "county of Dorset, and the tithing of Colliton-row, in the town of "Dorchester aforesaid."

And whereas the said Parishes wholly include the Municipal Borough of Dorchester, as the boundaries thereof were fixed for the purposes of an Act passed in the sixth year of the reign of King William the Fourth, intituled "An Act to provide for the Regulation of Municipal Corporations in England "and Wales."

And whereas, on such Report and further Report, it appears that in the said Borough epidemic, endemic, and contagious diseases prevail, and the average mortality is excessive; that the local governing bodies of the borough are limited as to the area of their jurisdiction, and deficient as to power; that there is no proper system of sewers nor drains; that streets are unpaved and in a dirty condition; that lighting in the suburbs is not so general as it ought to be for safety and comfort; that streets are confined, yards are without adequate means of ventilation, and that many of the houses and room-tenements inhabited by the poor are in a most neglected, wretched, and filthy condition; that immorality, dissipation, disease, and pauperism are the consequences; that there is a high rate of mortality; and that the cost to the ratepayers consequent upon such a state is excessive; that there are many middens crowded upon dwelling-houses, and even under sleeping-rooms; that the grave-yards are unduly crowded; that better arrangements for paving, cleansing, and regulating the streets should be made; that more stringent regulations for the slaughtering of cattle and sheep will be an advantage; that power to close objectionable dwellings and room-tenements is needed, as also to regulate common lodging-houses; that power to erect baths, wash-houses, and model lodging-houses may be exercised for the general benefit of the ratepayers.

And whereas for all these reasons it appears to the said General Board of Health to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to the said Borough; and that provision should be made with respect to the said Local Act of Parliament, and the partial repeal, alteration, extension, and further execution thereof; but the same cannot be done without the authority of Parliament.

Now,

Now, therefore, in pursuance of the power vested in the said Board by the Public Health Act, 1848, we, the said General Board of Health, do, by this Provisional Order under our hands and seal of office, direct:—

That from the passing of any Act of Parliament confirming this Order,—

1.—In the construction of this Order, and of the sections of the several Acts of Parliament incorporated therewith, the same meanings shall be assigned to certain expressions which are assigned to them in and by the section numbered 2 in the copies of "The Public Health Act, 1848," printed by Her Majesty's Printer, unless such meanings be repugnant to or inconsistent with the context or subject matter in which such expressions occur.

2.—So much of "The Public Health Act, 1848," as relates to corporate districts shall apply to the area comprised within the boundaries of the said Borough of Dorchester.

3.—The Mayor, Aldermen, and Burgesses of the said Borough shall be by the Council of the said Borough the Local Board of Health for the district hereby constituted.

4.—The parts of the said Local Act specified in the Schedule to this Order shall be repealed, except in so far as relates to any matter or thing done before the passing of any Act of Parliament confirming this Order, and except in so far as the same repeal any other Act or Acts of Parliament.

5.—The powers of the Commissioners for the time being acting in execution of the said Local Act, and of their officers, shall cease; and such of them as are granted by the unrepealed parts of the said Local Act shall, so far as the same are not repugnant to, or inconsistent with, the said Public Health Act, or this Order, or any byelaw which shall be lawfully made under the said Public Health Act, be transferred to the said Local Board of Health, and such of the officers of the said Local Board as shall be appointed in that behalf under the said Public Health Act, and shall be exercised in the same manner, as nearly as may be, as if such powers had been granted by the said Public Health Act.

6.—The said Local Board shall be the Commissioners for executing the unrepealed parts of the said Local Act.

7.—All property and estate whatsoever of the Commissioners acting in the execution of the said Local Act shall be transferred to the said Local Board of Health, and shall, as near as circumstances will permit, be held by the said Local Board upon the same trusts, and for the same purposes, as by such Commissioners.

8.—All debts, monies and securities for money, payable by such Commissioners, shall be satisfied by the said Local Board within the same times as they would have been by such Commissioners, out of such parts of the said transferred property and estate as would have been chargeable in respect of the same if this Order had not been made.

9.—Provided always, that if such property and estate be insufficient, the deficiency shall be charged upon the rates leviable under the said Public Health Act in the parts only which would have been chargeable with such deficiency if this Order had not been made.

10.—Provided also, that if such property and estate be more than sufficient, the surplus shall be applied to the parts and purposes to which the same would have been applied if this Order had not been made.

11.—All expenses which shall be incurred by the said Local Board of Health under the unrepealed parts of the said Local Act, and not defrayed out

out of the monies arising under such Local Act, shall be deemed to be expenses incurred under the said Public Health Act, and shall be defrayed out of the Rates leviable under that Act (as the nature of the case may require); and the monies necessary to be raised for the purposes of such Local Act may be raised as under the said Public Health Act; and the unrepealed parts of the said Local Act shall be incorporated with the said Public Health Act, and shall extend to all parts comprised within the boundaries of the said Borough.

12.—The sections of the Towns Improvement Clauses Act, 1847, with respect to naming the streets and numbering the houses, and with respect to improving the line of the streets and removing obstructions, and with respect to ruinous or dangerous buildings, and with respect to precautions during the construction and repair of the sewers, streets, and houses, and the sections with respect to the abatement of nuisances numbered 104, 105, and 106 in the copies of the said Act printed by the Queen's Printers, and the sections with respect to the prevention of smoke, and with respect to the construction of houses for the prevention of fire, and with respect to supplying buildings with fresh air, and with respect to clocks, and the sections of the Towns Police Clauses Act, 1847, with respect to obstructions and nuisances in the streets, and with respect to fires, and with respect to places of public resort, shall be incorporated with so much of the said Local Act as remains unrepealed by this Order, and with the said Public Health Act, as applied to the said Borough by this Order, and any Act of Parliament confirming the same; and the expression "the Special Act," used in the said sections, shall be construed to mean so much of the said Local Act as remains unrepealed, and the said Public Health Act so applied as aforesaid; and the expression "limits of the Special Act," used in the same sections, shall be construed to mean the district constituted by this Order, and any Act of Parliament confirming the same; and the expression "the Commissioners," used in the said sections, shall mean the said Local Board.

13.—Provided always, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall not prejudicially affect anything done under the said Local Act before the passing of any Act of Parliament confirming this Order; but all such things shall be as valid with reference to the said Local Board as if the same had been done with reference to that Board instead of the Commissioners acting in execution of the said Local Act, and may be dealt with as if that Board, instead of such Commissioners, had been referred to therein.

14.—Provided also, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule, shall be without prejudice to any penalties incurred under the said Local Act, but all such penalties may be enforced and recovered by the said Local Board of Health according to the provisions of this Order.

Given under our Hands, and under the Seal of the General Board of Health, this Ninth day of November, in the year of our Lord One thousand eight hundred and fifty-two.

(Signed) SHAFTESBURY.

(L.S.) EDWIN CHADWICK.

T. SOUTHWOOD SMITH.

Schedule to which this Order refers.

The parts of the said Local Act referred to in this Order to be repealed are as follows:—

The sections numbered respectively in the copies of the said Act, printed by the King's Printers, 1 to 26, 31 to 36, 38 to 65, 67 to 74, all inclusive.

And so much of any unrepealed part of the said Act, or of any Act by this Order incorporated therewith, or with the Public Health Act, 1848, as fixes the amount of any penalty for any offence under any of the said Acts, wherever the penalty for such offence shall have been fixed by the Public Health Act, 1848, or by any byelaw of the Local Board of Health made under the said Public Health Act, at an amount other than that fixed by any of the said first-mentioned Acts.

WELSHPOOL.

Provisional Order for the Application of the Public Health Act to the District of Welshpool, in the County of Montgomery.

GENERAL BOARD OF HEALTH.

WHEREAS, in pursuance of the Public Health Act, 1848, the General Board of Health appointed for the purposes of the said Act have, upon the petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the boundaries of the parish of Pool, in the county of Montgomery, (the number of the said petitioners greatly exceeding thirty in the whole,) directed George Thomas Clark, a Superintending Inspector, appointed for the purposes of the said Act, to visit the said Parish, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within such Parish for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Parish, or having relation to the purposes of the said Act; also, as to the natural drainage areas, and the existing municipal, parochial, or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices directed by the said Act, proceeded upon the said inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the several matters with respect to which he was so directed to inquire as aforesaid, and upon certain other matters in respect to which he deemed it expedient to report for the purposes of the said Act.

And whereas, it having appeared to the said General Board upon such Report that the boundaries which might be most advantageously adopted for the purposes of the said Act were not the same as those of the said Parish, the said General Board, in further pursuance of the said Act, caused the same Superintending Inspector (after having given the notices required by the said Act in that behalf) to visit the parts within the boundaries proposed to be adopted for the purposes of the said Act, to hear all persons desirous of being heard before him upon the subject of the said Report, and to make further inquiry and report to the said Board thereon.

And whereas the said Superintending Inspector, having previously given the notices directed by the said Act in this behalf, proceeded upon the said further inquiry in the manner required by the said Act, and hath made a further Report, as directed by the said General Board.

And whereas it appears to the said General Board to be expedient that the said Act, except as herein-after provided, should be applied to such parts of the parish of Pool and the adjoining parish of Guilsfield, as are respectively comprised within the dotted line referred to and described as "proposed boundary," on the plan appended to and forming part of the said further Report of the said Superintending Inspector, the same being entirely included within the boundaries of the municipal borough of Pool or Welshpool, as fixed for the purposes of an Act passed in the sixth year of the reign of King William the Fourth, intituled "An Act to provide for the Regulation of Municipal Corpo-"rations in England and Wales;" but the same cannot be done without the authority of Parliament, by reason that the boundaries to be adopted for the purposes of the said Act are not the same as those of the place from whence the said petition proceeded.

Now, therefore, in pursuance of the power vested in the said Board by the said Act, we, the General Board of Health appointed for the purposes of the said Act, do by this Provisional Order under our hands and seal of office, order and direct:—

1.—That from and after the passing of any Act of Parliament confirming this present Order, the Public Health Act and every part thereof, except the Section numbered 50 in the copies of that Act, printed by Her Majesty's Printers, shall apply to and be in force within and throughout the entire area, places, and parts of places comprised within the dotted boundary line on the aforesaid plan, and the entire area, places, and parts of places within so much of the parishes of Pool and Guilsfield as is contained within the dotted boundary line on the aforesaid plan, shall be and constitute one district for the purposes of the said Act.

2.—That the mayor, aldermen, and burgesses of the said borough shall by the Council of the said borough be the Local Board of Health for the said district.

3.—That forthwith, after the passing of any Act of Parliament confirming this Order, the said Local Board of Health shall, by order, under the seal of the said Board, and referring or not to a map or plan of the said District, ascertain and fix the part of the said District, within which the streets, lanes, highways, turnpike and other roads, squares, public passages and places, markets, and public buildings, are to be paved and lighted; and the said Local Board of Health shall and may from time to time thereafter, by orders under the said seal, and referring or not to a map or plan of the said District, vary and alter the parts of the said District to be so lighted as aforesaid; and the said parts of the said District so from time to time ascertained and fixed as aforesaid, may in in all rates, or legal or other proceedings or writings whatsoever, be called "The Welshpool Paved and Lighted District" of the District of Welshpool.

4.—That from and after the passing of any Act of Parliament confirming this Order, and when the said lighted District shall be ascertained and fixed as aforesaid, the costs and expenses of or relating to the paving and lighting

lighting of the said lighted District shall be defrayed out of a rate in the nature of a general district rate, to be from time to time made and levied upon the occupier and occupiers of all such kinds of property, within the said paved and lighted District, exclusively of the rest of the said Borough, as by the laws in force for the time being are or may be assessable to any rate for the relief of the poor, and shall be assessed upon the full net annual value of such property ascertained by the rates (if any) for the relief of the poor made next before the making of the said assessment; and the said rate shall be called "The Welshpool Paving and Lighting Rate," and shall be carried to a separate account, to be called "The Welshpool Paving and Lighting Fund Account;" and all the provisions relating to general district rates in such part of the said Public Health Act, 1848, as is hereby ordered to be applied to the said District shall, so far as they are not inconsistent with this Order and the several provisions thereof, apply to the paving and lighting rates to be levied under and in pursuance the aforesaid provisions.

Given under our Hands, and under the Seal of the General Board of Health, this Thirtieth day of January, in the year of our Lord One thousand eight hundred and fifty-two.

(Signed) SHAFTESBURY.
(L.S.) EDWIN CHADWICK.
T. SOUTHWOOD SMITH.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1853.

ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

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by Exchequer Bills, in like Manner as is prescribed by

at any Time or Times, to cause any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Seventeen millions seven hundred and forty-two thousand five hundred Pounds, in like Manner as is prescribed in an Act passed in the Forty-eighth Year of the Reign of King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*, and in another Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to regulate the Office of the Receipt of His Majesty's Exchequer at* Westminster, and in another Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for further regulating the Preparation and Issue of Exchequer Bills.*

48 G. 3. c. 1.

4 & 5 W. 4. c. 15.

5 & 6 Vict. c. 66.

The Clauses, &c. in recited Acts extended to this Act.

II. That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said Acts shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

The Treasury to apply the Money raised.

III. That it shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Bills, how to be charged and paid.

IV. That the Principal Sum or Sums of Money to be contained in such Exchequer Bills shall be charged upon and shall be paid out of any Supplies to be granted in the next Session of Parliament.

Interest on Bills.

V. That the Exchequer Bills to be made out in pursuance of this Act shall bear Date on the Days on which the same shall be respectively issued, and shall bear an Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem* in respect of the whole of the Monies respectively contained therein, payable out of any Aids or Supplies in the Bank of *England* standing to the Credit of the Exchequer.

Bills charged on Supplies to be current in Payment

VI. That all the Exchequer Bills to be made out by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncancelled, shall, after Twelve Calendar Months from their

their respective Dates, be taken and shall pass and be current to all the Receivers and Collectors in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever already granted or payable, or which shall hereafter be granted or payable, to Her Majesty, Her Heirs and Successors, and also at the Bank of *England* to the Account of Her Majesty's Exchequer, from the said Receivers or Collectors, or from any other Person or Persons, Bodies Politic or Corporate whatsoever, making any Payment there to Her Majesty, Her Heirs and Successors, upon any Account whatever.

of Public Revenue after Twelve Calendar Months from their Dates.

VII. That it shall be lawful for the Governor and Company of the Bank of *England* to advance or lend to Her Majesty, upon the Credit of the Exchequer Bills to be made out in pursuance of this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Seventeen millions seven hundred and forty-two thousand five hundred Pounds; anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against* France, or in any subsequent Act, to the contrary thereof in anywise notwithstanding.

Bank of England may advance 17,742,500*l.* on the Credit of Bills, notwithstanding 5 & 6 W. & M. c. 20.

LONDON.
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1853.

ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

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obviated, by reason of no Provision having been made in the said Acts for the Election of Councillors or Magistrates in room of those whose Election may have been null or irregular, and it is expedient that this Defect should be supplied: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

On Elections of Councillors being found null, Warrant to be granted for new Election.

I. In all Cases in which any Election of a Councillor or Councillors in any of the Royal Burghs, Burghs, or Towns comprehended in the said recited Acts, or either of them, shall have been legally reduced or found to have been null, the Court of Session in *Scotland* in either of its Divisions shall, on the Application by Petition on the Part of any One or more of the registered Electors of such Royal Burgh, Burgh, or Town, grant Warrant for a new Election of a Councillor or Councillors in room of the Councillor or Councillors whose Election shall have been so reduced or found null, to take place on a Day to be fixed by the said Court, not sooner than Ten nor later than Fourteen Days from the Date of such Warrant, and such new Election shall thereupon proceed on the Day so fixed in the Manner provided by the said recited Acts respectively for the annual Election of Councillors in such Royal Burghs, Burghs, or Towns; and the Councillor or Councillors elected on such Day shall be, in regard to Tenure of Office and in all other respects, in the same Situation as if they had been elected at the annual Election at which the Councillor or Councillors whose Election shall have been reduced or found to have been null were elected.

Election thereupon to proceed as at annual Election of Councillors.

II. As soon as such Warrant shall have been granted the Principal Clerk of Session, being Clerk to the Petition on which it was granted, shall forthwith transmit a certified Copy thereof to the Town Clerk of such Royal Burgh, Burgh, or Town, and such Town Clerk shall immediately on receipt of such certified Copy give Intimation of the Election thereby appointed by Notices to be affixed to the Door of the Parish Church or Churches in such Royal Burgh, Burgh, or Town; and the acting Provost or senior Magistrate, or, failing there being at the Time any Provost or Magistrate, One of the Councillors to be nominated by the Sheriff of the County or his Substitute, shall discharge the Duties and execute the Powers directed by the said recited Acts to be performed by the Provost or senior Magistrate at the annual Election of Councillors.

Expenses of Application for Warrant to be a

III. The necessary Expenses incurred by any Elector or Electors in obtaining such Warrant for a new Election as aforesaid as the same shall be taxed by the said Court shall be recoverable by such

such Elector or Electors from the Treasurer of such Royal Burgh, Burgh, or Town, and when paid shall be chargeable by the Treasurer on the Funds thereof.

Charge on the Funds of the Burgh.

IV. In all Cases in which the Election of a Councillor to the Office of Provost or Magistrate, or the Election of any Councillor who may have been thereafter appointed Provost or a Magistrate, shall have been legally reduced or found null, the Town Council shall at its First Ordinary Meeting thereafter, the full Number of the Council being always complete, elect a Provost or Magistrate who shall be, in regard to Tenure of Office and in all other respects, in the same Situation as if he had been elected when the Provost or Magistrate whose Election has been reduced or found null or has fallen was elected.

On Election of Magistrate being found null, Council to elect a Magistrate.

V. It shall not be lawful nor competent to institute any Action by way of Reduction, Declarator, Suspension, or otherwise for reducing any Election of a Councillor, Provost, or Magistrate, or for having the same found null, or for interdicting any Party who may have been elected Councillor, Provost, or Magistrate from acting as such, nor to execute any Summons, nor intimate any Suspension concerning the same, after the Lapse of One Month from the Date of his Election, and all such Summonses and Suspensions executed or intimated respectively within such Month shall be deemed summary Processes, and shall have Precedence as such in the Rolls of the said Court of Session.

No Challenge of Election to be made after the Lapse of a Month.

VI. Be it enacted and declared, That the Acts and Proceedings of any such Town Council prior to the Date when the Election of any of the Councillors thereof shall have been legally set aside or found null shall be valid and effectual, notwithstanding the Nullity or Irregularity of the Election of any One or more of the Councillors, and that the Actings of any Provost or Magistrate whose Election may be set aside or found null prior to its being so set aside or found null shall not be liable to Challenge in respect thereof.

Actings of Council and Magistrates to be valid, notwithstanding Elections being set aside.

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seven, it was enacted, that all Sheriffdoms, excepting as therein mentioned, but including the said Sheriffdom of *Berwick*, should constitute Commissariats, and that the Sheriffs should become the Commissaries of their several Shires in room of the inferior Commissaries, whose Offices were thereby abolished: And whereas the Sheriff and Commissary Courts of *Berwickshire* have been and are held at the said Head Burgh of *Greenlaw*, but it would tend greatly to the public Convenience that Courts for the Despatch of Civil and certain Criminal Business should be held at the Town of *Dunse* in the said Shire as well as at the said Head Burgh, and that the Office of the Sheriff Clerk of the said Shire of *Berwick* should be situated at *Dunse:* Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Construction of Terms.

I. In construing this Act the Word "Sheriff" shall include "Sheriff Substitute," the Word "Commissary" shall include "Commissary Depute," the Words "Sheriff Clerk" shall include "Sheriff Clerk Depute," and the Word "Shire" or "Sheriffdom" shall include "Commissariat."

Power to Sheriff and Commissary to hold Courts at Dunse.

II. From and after the passing of this Act it shall be lawful for the Sheriff and Commissary of the said Shire to hold Ordinary Courts at *Dunse*, as well as at the Head Burgh of *Greenlaw*, for the Despatch of Civil and Consistorial Business, and also for trying and disposing of such Criminal Causes as may be tried without a Jury: Provided always, that the Sheriff shall hold an Ordinary Court at least Once in every Week during the Summer and Winter Sessions, either at *Greenlaw* or *Dunse*, which shall be deemed and taken to be sufficient Compliance with the Provision contained in the First Section of the Act of Sederunt of the Lords of Council and Session, dated the Tenth Day of *July* in the Year One thousand eight hundred and thirty-nine, passed under Authority of an Act of the First and Second Years of the Reign of Her present Majesty, intituled *An Act to regulate the Constitution, Jurisdiction, and Forms of Process of Sheriff Courts in* Scotland: Provided also, that all Courts for the Trial of Criminal Causes by Jury shall be held at the Head Burgh of *Greenlaw.*

1 & 2 Vict c. 119.

Lord Advocate to fix Time and Place of Sitting of Courts.

III. From Time to Time, Her Majesty's Advocate shall fix and appoint the Days on which Courts are to be held at *Greenlaw* and at *Dunse* respectively, and shall, at least Ten Days previous to such Arrangement coming into operation, cause a written or printed Notice thereof to be affixed to the Wall in the Court Houses at *Greenlaw* and *Dunse*, and in the Sheriff Clerk's Office, and to be inserted

inserted in a Newspaper of general Circulation in the Shire; and all Citations shall be in the Form prescribed by Act of Sederunt of the Court of Session, or other competent Authority, using the Words "Ordinary Court House at *Greenlaw*," or "Ordinary Court House at *Dunse*," or such other Form of Words as may be necessary, according as the Citation may be to a Court to be held at *Greenlaw* or at *Dunse* as fixed by the said Notice.

IV. The Office of the Sheriff Clerk of the said Shire shall be situated and kept at the said Town of *Dunse;* and all Extracts of Judgments pronounced in Court given forth and subscribed by the said Sheriff Clerk shall severally bear the Place where such Judgments were pronounced: Provided always, that the Record of Deeds shall continue as at present to be kept at *Greenlaw*, under the Charge of a Depute to be appointed by the Sheriff Clerk, and which Depute shall reside in *Greenlaw.*

Sheriff Clerk's Office to be at Dunse.

V. Nothing in this Act contained shall be held or construed to repeal or affect, as regards the said County of *Berwick*, any of the Provisions of an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act for the more effectual Recovery of Small Debts in the Sheriff Courts, and for regulating the Establishment of Circuit Courts for the Trial of Small Debt Causes by the Sheriffs in* Scotland.

Nothing to affect Provisions of 7 W. 4. & 1 Vict. c. 41.

VI. Except in so far as inconsistent with or varied by the Provisions of this Act, the said recited Act of Date the Ninth Day of *October* One thousand six hundred and ninety-six shall remain in full Force, and the said Town of *Greenlaw* shall continue to be the Head Burgh of the Shire of *Berwick.*

Act of 1696 to remain in full Force, except as varied by this Act.

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" distant more than Ten Miles from the Mainland of any County, in " which Case the Voters not resident in such Island may poll at the " Polling Place for the District in which the County Town is " included," and also as enacts " that Polling Places shall in no " Case be more in Number than Fifteen for any One County," shall be and the same is hereby repealed.

Power to Sheriff, with Consent of Lord Advocate, to increase or alter Number and Arrangement of Polling Places, so that not more than 300 Electors shall poll at One Place.

No Alteration to take place until Notice shall be advertised.

Notice of Objections by Ten Inhabitant Electors.

II. It shall be lawful for each Sheriff, with the Consent of Her Majesty's Advocate for *Scotland* for the Time being, from Time to Time hereafter to increase or otherwise alter the Number, Situation, or Arrangement of the existing Polling Places and Districts, or Parts thereof, in his County, so that not more than Three hundred Electors shall be allowed to poll at any such Election as aforesaid at any One Place: Provided always, that no such Increase or Alteration as aforesaid shall be made until Notice thereof shall have been publicly given by Advertisement for Six Weeks successively in the *North British Advertiser* and the *Edinburgh Gazette*, and in the several Newspapers published within the County in which the said Increase or Alteration is proposed to be made; and in case any of the Inhabitants, not less than Ten in Number, being registered Voters for such County, shall be desirous of opposing such Increase or Alteration as aforesaid, it shall be lawful for them, at any Time not later than One Week from the Publication of the last Advertisement, to lodge with the Sheriff Clerk of the County a written Notice, signed by such Inhabitants as aforesaid, being not less than Ten in Number, stating their Objections to such Increase or Alteration, or any Suggestions they may wish to offer for the Purpose of obtaining a different Arrangement of Polling Places or Districts from that proposed in such Advertisement as aforesaid, and the Sheriff Clerk shall thereupon transmit the same to Her Majesty's Advocate for *Scotland* for the Time being, who shall, within Fifteen Days from the Receipt thereof, notify his Decision thereon to the Sheriff; and thereupon, if the said Decision shall sanction the original or any Increase or other Alteration in the Number, Situation, or Arrangement of the existing Polling Places or Districts, the Sheriff Clerk shall forthwith, or, in the event of no such Notice of Objection as aforesaid being given, shall at the Expiration of One Week from the Date of the last Advertisement as aforesaid, make a distinct List of such new Polling Places and Districts so appointed, and shall cause Copies of the said Lists to be affixed to the Doors of all the Parish Churches in his County.

Inhabitant Electors, being not less than Ten, may petition for Increase or other Alteration of Polling Places.

III. Provided always, That in case any of the Inhabitants of a County, being registered Voters for the same, shall be at any Time dissatisfied with the then existing Number or Position of Polling Places or Districts, it shall be lawful for any of them to present to the Sheriff a Petition signed by not less than Ten such Inhabitants as aforesaid, representing that the Number of Polling Places or Districts is insufficient or excessive (as the Case may be), or that their Situation and

and Arrangement is inconvenient, and praying that the Place or Places mentioned in such Petition may be a Polling Place or Places for that County, or that the Alterations or other Changes mentioned in such Petition may be made in the Number, Situation, or Arrangement of the then existing Polling Places or Districts; and on the Receipt of such Petition the Sheriff shall, with the Consent of Her Majesty's Advocate for *Scotland*, proceed therein in the same Way as hereinbefore provided, and as though the Increase or Alterations in the said Petition mentioned had been originally proposed by the Sheriff.

Sheriff if required shall direct more Booths to be provided. No Poll to be taken at any Place licensed for Sale of Beer, &c. except by Consent.

IV. At any contested Election the Sheriff shall, if required by any of the Candidates, on or before the Day of Nomination, direct Two or more Booths, Compartments, Halls, Rooms, or other Places for Polling, to be provided at each Polling Place: Provided always, that no Poll at any such Election shall be taken at any Inn, Hotel, Tavern, Public House, or other Premises licensed for the Sale of Beer, Wine, or Spirits, or in any Booth, Hall, Room, or other Place directly communicating therewith, unless by Consent of all the Candidates, expressed in Writing.

Where Voters shall poll.

V. That every County Voter (except as herein-after provided) shall poll at the Polling Place of the District within which the Premises, or any Part of them, in respect of which he claims to vote, may be situate; provided that nothing herein contained shall be held to repeal or alter the Ninth Section of the Seventy-eighth Chapter of the Statute passed in the Fifth and Sixth Years of His said Majesty, respecting Freeholders in Counties.

Voters may claim to vote in another District in certain Cases.

VI. Any County Voter, not being a Freeholder, and not resident in the District containing the Premises in respect of which he claims to vote, may make Application, in Person or by Writing, to the Sheriff, at the Registration Court of the County, to be entitled to poll at the Polling Place nearest to his Residence; and the Sheriff, on being satisfied of the Truth of the Statements of such Voter, shall insert in the List against the Name of the Voter making such Application the Name of the Polling Place at which such Person shall be registered to vote; and such Voter shall thereafter be entitled to vote at such Polling Place, and shall not be at liberty to poll at any other Polling Place for the same County.

Non-resident Voters, with Island Qualifications, may vote at the County Town.

VII. Where the Polling Place for a District containing the Premises in respect of which any Voter claims to vote shall be in an Island distant more than Ten Miles from the Mainland of the County, such Voter, not being resident in the Island, may poll at the Polling Place for the District in which the County Town is included.

Declaration of the Poll in certain Cases.

VIII. With respect to Section Thirty-three of the said first-mentioned Statute, be it enacted, That where the Sheriff shall not have received

received the Poll Books transmitted from any Island within the Time therein limited for the opening thereof, the Sheriff may adjourn the Court for the Declaration of the State and Result of the Poll from Day to Day, omitting *Sunday*, and shall either at the first of such adjourned Courts after the Receipt of such Poll Books, or at the Expiration of Twelve Days from the first Court so adjourned (whichever shall happen first) proceed to declare the Poll, and make Proclamation and a Return in the Manner therein mentioned.

Poll to be kept open only One Day.

Order and Manner of Polling.

IX. No Poll at any Election for any County shall be kept open for more than One Day, and that only between the Hours of Eight in the Morning and Four in the Afternoon: Provided always, that at any Time after a Poll has been demanded the Poll at any One Place may be closed, if all the Candidates or their Agents and the Sheriff or his Substitute shall agree in so closing it: Provided also, that when the Proceedings at any Election shall be interrupted or obstructed by any Riot or open Violence, whether such Proceedings shall consist of the Nomination of Candidates, or of the taking the Poll, the Sheriff or his Substitute at the Place where the Riot or open Violence has occurred may adjourn the Nomination or the taking the Poll at the particular Polling Place or Places at which such Riot or open Violence shall have happened to the following Day or some other convenient Time, and if necessary may repeat such Adjournment till such Interruption or Obstruction shall have ceased, he always giving Notice to the Sheriff or his Substitute who is to make the Return of such Adjournment having been made; and the State of the Poll shall not be finally declared, nor the Result of the Election proclaimed, until the Poll so interrupted or obstructed shall be closed, and transmitted to the Sheriff or his Substitute who is to make the Return.

Poll to be kept open Two Days in Orkney and Shetland.

X. That in respect of the remote Situation of certain Parts of the County of *Orkney* and *Shetland*, and the occasional difficult Intercommunication therein, nothing in this Act contained shall alter the Provisions of the said recited Act so far as relates to the keeping open of the Poll for Two consecutive Days as heretofore; but nothing herein contained shall be construed to exclude the said County of *Orkney* and *Shetland* from any of the Benefits or Obligations of the other Portions of this Act.

As to the Word "Burgh."

XI. The Word "Burgh" in this Act shall include every City, Burgh, Town, or District of Cities, Burghs, or Towns, entitled to return or to contribute to return a Member to Parliament.

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CAP. XXIX.

An Act for regulating the Weights used in Sales of Bullion. [14th *June* 1853.]

WHEREAS by an Act of the Fifth Year of His late Majesty King *George* the Fourth, Chapter Seventy-four, it was amongst other things enacted, " that the Standard Troy " Pound thereby established or ascertained should be the Unit or only " Standard Measure of Weight from which all other Weights should " be derived, computed, and ascertained, and that One Twelfth Part " of the said Troy Pound should be an Ounce:" And whereas by another Act passed in the Session held in the Fifth and Sixth Years of His late Majesty King *William* the Fourth, Chapter Sixty-three, further Provisions were made for establishing Uniformity of Weights, and for stamping the Weight thereby authorized to be used: And whereas the Weights now ordinarily used in Sales of Gold and Silver are the Troy Ounce and other Weights, being Multiples or Decimal Parts of such Ounce: And whereas none of the Weights so used have hitherto been stamped, and many of them which are Multiples of the Troy Ounce are not Multiples or Parts of the Troy Pound, and Doubts have arisen whether, under the Provisions of the said recited Acts, or One of them, such Weights are not liable to be seized as illegal, and Contracts and Sales made thereby are not illegal and void: And whereas it is expedient to remove such Doubts, and that Provisions should

5 G. 4. c. 74.

5 & 6 W. 4. c. 63.

should be made authorizing Contracts and Bargains for and Sale of Gold and Silver, Platina, and precious Stones to be made by the Troy Ounce and Weights being Multiples or Decimal Parts thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Sales of Bullion and precious Stones by the Troy Ounce and Multiples and Decimal Parts thereof to be good and valid.

I. All Contracts and Bargains made or to be made for and Sales of Gold, Silver, Platina, Diamonds and other precious Stones, made and to be made by the Troy Ounce as ascertained and fixed by the first above-recited Act, and by any Weights being Multiples or Decimal Parts of such Ounce, shall be deemed and reputed and are hereby declared to be good and valid in Law, and for the Purposes of such Contracts, Bargains, and Sales such Troy Ounce shall be taken to be the Standard or Unit of Weight.

Models of the Multiples and Decimal Parts of the Troy Ounce to be made and verified under the Direction of the Treasury.

II. Within Three Months next after the passing of this Act Models of such Multiples and Decimal Parts of the said Troy Ounce as the Lord High Treasurer or the Commissioners of Her Majesty's Treasury of the United Kingdom for the Time being shall judge expedient, and from Time to Time after the Expiration of the aforesaid Period of Three Months Models of such further Multiples and Decimal Parts of the said Troy Ounce as the Lord High Treasurer or the said Commissioners shall from Time to Time think expedient, shall be carefully made and verified, under the Direction of the said Lord High Treasurer or the said Commissioners, and, when so made and verified, shall be deposited in the Office of the Chamberlain of the Exchequer at *Westminster*, and Copies of the Models so from Time to Time deposited, verified as aforesaid, shall be sent to the Lord Mayor of *London* and the Chief Magistrate of *Edinburgh* and *Dublin*, and to the Chief Magistrate of such other Cities, and to such other Places and Persons in Her Majesty's Dominions or elsewhere as the Lord High Treasurer or the aforesaid Commissioners may from Time to Time direct.

Models to be deposited.

Persons using the Weights authorized by this Act not liable to certain Penalties imposed by 5 & 6 W. 4. c. 63.

III. No Person who heretofore or at any Time previous to the Expiration of Fifteen Months next after the passing of this Act shall, in any Contract, Bargain, or Sale for or of any Gold, Silver, Platina, Diamonds or other precious Stones, have used or shall have had in his Possession any Troy Pound, Troy Ounce, or any Weight being a Multiple or a Decimal Part of the Troy Pound or Troy Ounce, shall be liable to be convicted by reason of such Weight not being One of the Weights authorized by the said second above-recited Act, or an aliquot Part, as therein described, of any such Weight, or by reason of such

such Weight not being stamped as required by the said last-mentioned Act, nor shall any such Weight at any Time previous to the Expiration of Fifteen Months after the passing of this Act be seized by reason of its not being stamped as aforesaid.

IV. The First and Second Sections of this Act shall be taken as Part of the second above-recited Act; and such last-mentioned Act shall be construed and applied in all respects as if the said First and Second Sections of this Act had formed Part of the said second above-recited Act, and had been inserted therein immediately after the Tenth Section thereof.

The 1st and 2d Sections of this Act incorporated with 5 & 6 W. 4. c. 63.

V. The Provisions contained in the Twelfth Section of the second above-recited Act shall not extend or be applied to any Weight made or used under the Provisions of this Act, although the same be of the Weight of One Pound Avoirdupois or more; but every Troy Ounce Weight, and every Weight being a Multiple or Decimal Part of the Troy Ounce, not being less than One Tenth of an Ounce, shall have the Number of such Ounces or Parts of an Ounce therein contained stamped or cast on the Top or Side thereof in legible Figures and Letters; and no Weight, being a Troy Ounce or any Multiple or Part thereof, shall be stamped under the Provisions of the said second above-recited Act unless the Number of Troy Ounces or Parts of an Ounce therein contained shall be so stamped or cast thereon.

Contents of Weights to be stamped thereon.

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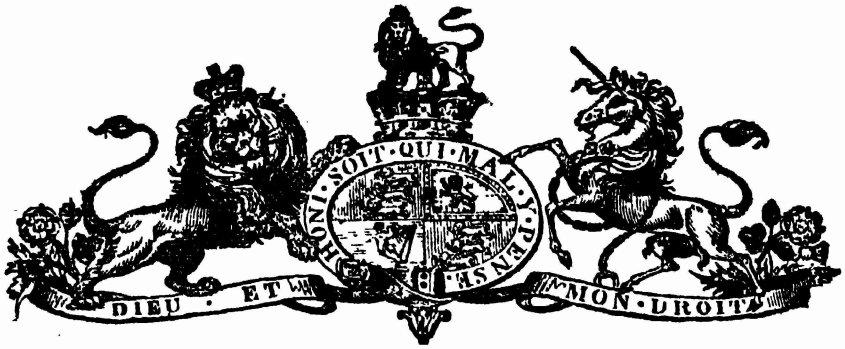

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the Fourth, Chapter Thirty-one, to proceed to hear and determine in a summary Way, and if they shall find the same to be proved, to convict the Person accused; and every Offender so convicted shall be liable to be imprisoned in the Common Gaol or House of Correction, with or without Hard Labour, for a Period not exceeding Six Calendar Months, or to pay a Fine not exceeding (together with Costs) the Sum of Twenty Pounds, and in default of Payment to be imprisoned as aforesaid, with or without Hard Labour, for a Period not exceeding Six Calendar Months unless such Fine and Costs be sooner paid, and if the Magistrate or Magistrates shall so think fit shall be bound to keep the Peace and be of good Behaviour for any Period not exceeding Six Calendar Months from the Expiration of such Sentence; and such Conviction shall be a Bar to all future Proceedings, civil or criminal, for or in respect of the same Assault; and no Person convicted under this Act shall be entitled to appeal against such Conviction to the General Quarter Sessions of the Peace, anything to the contrary in any Statute notwithstanding.

No Appeal against such Conviction.

Court of General or Quarter Sessions may, upon Proof of Conviction and Notice to Parties, declare a Recognizance to keep the Peace or to be of good Behaviour to be forfeited.

II. Where any Recognizance to keep the Peace or to be of good Behaviour is entered into by any Person, as Principal or Surety, before the Court of General or Quarter Sessions of the Peace of any County, Riding, Division, City, Borough, or Place, or before any Justice or Justices of the Peace of any County, Riding, Division, City, Borough, or Place, it shall be lawful for any such Court of General or Quarter Sessions of the Peace as aforesaid, upon Applications made to such Court, to declare such Recognizance to be forfeited, upon Proof of a Conviction of the Party bound by such Recognizance of any Offence which is in Law a Breach of the Condition of the same; and upon further Proof that a Notice in Writing, signed by the Person seeking to put such Recognizance in force, has, Seven clear Days before the Commencement of such Sessions, been personally served upon or left at the usual Place of Abode of the Party or each of the Parties (if more than One) who entered into such Recognizances, that an Application will be made to the said General or Quarter Sessions, that the said Recognizance shall be declared forfeited, and if such Recognizance shall be declared forfeited all such Proceedings shall be had thereon as in the Case of a Recognizance forfeited at such Court of General or Quarter Sessions, and all the Provisions of the Act of the Third Year of King *George* the Fourth, Chapter Forty-six, and of the Act of the Fourth Year of the said King, Chapter Thirty-seven, applicable to a Recognizance so forfeited at such Court, shall apply to a Recognizance which shall, upon such Application and Proof as herein-before mentioned, be declared to be forfeited; and upon Notice in Writing of such intended Application to the said General or Quarter Sessions being given to any Justice or Justices, before whom any

any such Recognizance shall have been taken, Four clear Days before the Commencement of the said Sessions, the said Justice or Justices shall transmit the said Recognizance to the Clerk of the Peace of the County, Riding, Division, City, Borough, or Place within which the said Recognizance shall have been taken, with a Certificate that the said Recognizance is sent to him by reason of such last-mentioned Notice having been so given as aforesaid.

Detention of Persons committed to Prison for not entering into Recognizance limited.

III. No Person committed to Prison under any Warrant or Order of One Justice of the Peace for or on account of not entering into Recognizances or finding Sureties to keep the Peace, or to be of good Behaviour, shall be detained under such Warrant or Order for more than Twelve Calendar Months from the Time of such Commitment.

Indictments for Misdemeanor not to be removed by Certiorari, except on Affidavit that a fair Trial cannot be had.

IV. And whereas, by reason of the Establishment of a Court of Criminal Appeal, the Removal of Indictments by Writ of Certiorari is seldom necessary for the Decision of Questions of Law, but is nevertheless sometimes resorted to for Purposes of Expense and Delay: Be it enacted, That no Indictment, except Indictments against Bodies Corporate not authorized to appear by Attorney in the Court in which the Indictment is preferred, shall be removed into the Court of Queen's Bench, or into the Central Criminal Court, by Writ of Certiorari, either at the Instance of the Prosecutor or of the Defendant (other than the Attorney General acting on behalf of the Crown), unless it be made to appear to the Court from which the Writ is to issue, by the Party applying for the same, that a fair and impartial Trial of the Case cannot be had in the Court below, or that some Question of Law of more than usual Difficulty and Importance is likely to arise upon the Trial, or that a View of the Premises in respect whereof any Indictment is preferred, or a Special Jury, may be required for the satisfactory Trial of the same.

No Certiorari to issue to remove Indictment, unless Recognizance given for Payment of Costs.

V. And whereas it is expedient to make further Provision for preventing the vexatious Removal of Indictments into the Court of Queen's Bench: Be it therefore enacted, That whenever any Writ of Certiorari to remove an Indictment into the said Court shall be awarded at the Instance of a Defendant or Defendants, the Recognizance now by Law required to be entered into before the Allowance of such Writ shall contain the further Provision following; that is to say, that the Defendant or Defendants, in case he or they shall be convicted, shall pay to the Prosecutor his Costs incurred subsequent to the Removal of such Indictment; and whenever any such Writ of Certiorari shall be awarded at the Instance of the Prosecutor, the said Prosecutor shall enter into a Recognizance (to be acknowledged in like Manner as is now required in Cases of Writs of Certiorari awarded at the Instance of a Defendant) with the Condition following; that is to say, that the said Prosecutor shall pay to the Defendant or Defendants, in case

case he or they shall be acquitted, his or their Costs incurred subsequent to such Removal.

How Costs to be taxed and recovered.

VI. The Costs herein-before respectively mentioned shall be taxed according to the Course of the Court of Queen's Bench; and for the Recovery thereof the Persons entitled thereto shall, at the Expiration of Ten Days after Demand made of the Person or Persons at whose Instance the Writ of Certiorari was awarded, and on Oath made of such Demand and Refusal of Payment, have a Writ of Attachment granted against him or them by the Court of Queen's Bench for such Contempt; and the said Court shall and may also order the said Recognizance to be estreated into the Exchequer.

If no Recognizance given, Court to try as if no Certiorari awarded.

VII. If the Person or Persons at whose Instance any Writ of Certiorari shall be awarded shall not, before the Allowance thereof, enter into such Recognizance as is herein-before provided, the Court to which such Writ may be directed shall and may proceed to the Trial of the Indictment, as if such Writ of Certiorari had not been awarded.

Not to apply to certain Certioraris awarded.

VIII. This Act shall not extend to any Writ of Certiorari awarded at the Instance of Her Majesty's Attorney General.

Secretary of State may issue his Warrant for bringing up a Prisoner (not in Custody under Civil Process) to give Evidence.

IX. It shall be lawful for One of Her Majesty's Principal Secretaries of State, or any Judge of the Court of Queen's Bench or Common Pleas, or any Baron of the Exchequer, in any Case where he may see fit to do so, upon Application by Affidavit, to issue a Warrant or Order under his Hand for bringing up any Prisoner or Person confined in any Gaol, Prison, or Place, under any Sentence or under Commitment for Trial or otherwise, (except under Process in any Civil Action, Suit, or Proceeding,) before any Court, Judge, Justice, or other Judicature, to be examined as a Witness in any Cause or Matter, civil or criminal, depending or to be inquired of, or determined in or before such Court, Judge, Justice, or Judicature; and the Person required by any such Warrant or Order to be so brought before such Court, Judge, Justice, or other Judicature shall be so brought under the same Care and Custody, and be dealt with in like Manner in all respects, as a Prisoner required by any Writ of Habeas corpus awarded by any of Her Majesty's Superior Courts of Law at *Westminster* to be brought before such Court to be examined as a Witness in any Cause or Matter depending before such Court is now by Law required to be dealt with.

Extent of Act.

X. This Act shall not extend to *Scotland* or *Ireland*.

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Treasury of the United Kingdom of *Great Britain* and *Ireland*, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

The Treasury may cause 4,000,000*l.* of Exchequer Bills to be made out in manner prescribed by 48 Geo. 3. c. 1., 4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.

II. It shall be lawful for the said Commissioners of Her Majesty's Treasury from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of Her Majesty's Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Four Millions; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*, and in another Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to regulate the Office of the Receipt of His Majesty's Exchequer at* Westminster, and in another Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for further regulating the Preparation and Issue of Exchequer Bills.*

The Clauses, &c. in recited Acts extended to this Act.

III. All and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Acts shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said several Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities had been particularly repeated and re-enacted in the Body of this Act.

Interest on Exchequer Bills.

IV. The Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

Bank of England may advance 4,000,000*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

V. It shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to Her Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not

not exceeding in the whole the Sum of Four Millions, anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary* intituled *An Act for granting to Their Majesties several Rates and Duties upon the Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against* France, or in any other Act or Acts, to the contrary notwithstanding.

Bills prepared by virtue of this Act to be delivered to the Bank as Security for such Advances.

VI. It shall be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby authorized and empowered, to cause such Bills as shall be prepared by virtue of this Act to be delivered from Time to Time to the Governor and Company of the Bank of *England*, in such Proportions as the Public Service may require, as Security for any Advance or Advances which may be made to Her Majesty by the said Governor and Company of the Bank of *England* under the Authority of this Act.

Monies raised by Bills to be applied to the Services voted by the Commons.

VII. It shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

VIII. The Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* in the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the said Commissioners of Her Majesty's Treasury for the Time being, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Comptroller General of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to grant a Credit on the Exchequer Funds in the Bank of *England* unto such Person or Persons as shall be named in the said Warrant, which Credit shall be chargeable on and paid out of the growing Produce of the said Consolidated Fund of the next succeeding Quarter to that in which the said Exchequer Bills have been issued, for any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum

or

or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

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CAP. XXXII.

An Act to make further Provision for staying Execution of Judgment for Misdemeanors upon giving Bail in Error. [28th *June* 1853.]

WHEREAS by an Act passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act to stay Execution of Judgment for Misdemeanors upon giving Bail in Error*, it is amongst other things provided that no Execution upon any such Judgment shall be stayed unless and until the Defendant or Defendants shall become bound by Recognizance to prosecute the Writ of Error with Effect, and in case the Judgment shall be affirmed forthwith to render the Defendant or Defendants to Prison, according to the said Judgment, where Imprisonment shall have been adjudged: And whereas it is expedient to make further Provision for securing the Render of a Defendant to Prison, according to the Judgment given against him, when such Judgment shall have been affirmed, or such Writ of Error shall have been quashed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 8 & 9 Vict. c. 68.

Bail in Error.

No Execution to be stayed or Defendant discharged from Custody till Recognizance given for Defendant's personal Appearance, except when Writ brought by Attorney General.

I. In every Case in which a Writ of Error shall be brought to reverse any Judgment for Misdemeanor, except when the same shall be brought by Her Majesty's Attorney General, no Execution thereupon shall be stayed, nor shall any Defendant be discharged from Imprisonment as to such Execution, unless and until he shall become bound by Recognizance, to be acknowledged in manner in the said Act mentioned, to prosecute the Writ of Error with Effect, and personally to appear in the Court wherein such Writ may be returnable on the Day whereon Judgment shall be given upon the said Writ of Error, and also, if so ordered by the Court or by a Judge thereof, Four Days Notice being given either to the Defendant or his Attorney or to the Bail personally, or by leaving the same at his or their last known Place of Abode on the Days and Times appointed for any Proceeding upon the said Writ, and so from Day to Day, and not to depart that Court without Leave, and forthwith to render the said Defendant to Prison, according to the said Judgment, in case the said Judgment shall be affirmed.

Where Default made in personal Appearance of Defendant on the Argument, Court may order Recognizance to be estreated, and Writ of Error to be quashed.

II. In every Case in which a Defendant shall make default in prosecuting such Writ of Error with effect, or in personally appearing in the Court of Error upon any Proceeding to be had upon such Writ of Error as aforesaid, it shall be lawful for the said Court to order the said Recognizance to be estreated into the Court of Exchequer in a summary Way, and without the issuing of any Writ of Scire facias in that Behalf, and also to order the said Writ of Error to be quashed, without any Argument being had thereupon; and in every such Case the Defendant shall forthwith be liable to Execution upon the Judgment.

No Judgment to be given for Defendant for Want of a Joinder in Error, except by Order of the Court in open Court; and Court may examine Record, and give Judgment, though no Assignment of Errors filed.

III. Whenever any Writ of Error shall be brought, under the Provisions of the said Act, for reversing any Judgment in Misdemeanor, and Error shall be assigned thereon, no Judgment of Reversal shall be entered, either for Want of a Joinder in Error or otherwise, without the special Order of the Court in which such Writ of Error shall be pending, pronounced in open Court; and upon a Certificate, signed by or on behalf of the Attorney or Solicitor General, that Notice has been given to One of them of such intended Application, and in the event of there being no Joinder in Error, such Court of Error may proceed to examine the Record in Error, and may give such Judgment thereon as the Court from which Error is brought ought to have done, although no Joinder in Error may have been filed.

Where Judgment affirmed, Defen-

IV. In every Case in which a Defendant shall personally appear in Court upon any Proceeding had upon any such Writ of Error, and

and Judgment thereupon shall be affirmed, or such Writ of Error shall be quashed, it shall be lawful for such Court of Error forthwith to commit the said Defendant to the Keeper of the Queen's Prison, and to order the said Keeper to deliver such Defendant to the Keeper of the Gaol or Prison in which he may have been adjudged to be imprisoned; and the said Keeper of the Queen's Prison shall thereupon deliver such Defendant to the Keeper of such Gaol or Prison, and the Keeper of such last-mentioned Gaol or Prison shall thereupon cause such Defendant to be kept in safe Custody in such Gaol or Prison, in pursuance of and in execution of the said Judgment.

dant, if present in Court, may be committed in execution.

V. And whenever it shall be made appear to any One of the Judges of the Superior Courts of Record at *Westminster*, either by Affidavit or by Certificate of the proper Officer of the Court of Error, that the Recognizance of a Defendant given under the Provisions of this Act hath been ordered to be estreated, or that Judgment upon the said Writ hath been affirmed, or that such Writ of Error hath been quashed, and that Default hath been made by the Space of Four Days in rendering the Defendant to Prison in execution of the Judgment, it shall be lawful for such Judge to issue his Warrant under his Hand and Seal, and thereby to cause such Defendant to be apprehended, and conveyed to the Gaol or Prison in which such Defendant may have been adjudged to be imprisoned, pursuant to and in execution of the Judgment given against such Defendant.

Where Recognizance has been estreated, or Judgment affirmed or Writ of Error quashed, a Judge may issue Warrant to take Defendant, and render him to Prison in execution.

VI. In every Case in which a Defendant shall be committed by any Court of Error in execution of the Judgment given against such Defendant, and in every Case in which a Defendant shall, by virtue of any Warrant or in other Manner, be rendered to Prison in execution of such Judgment, the Imprisonment of such Defendant (if Imprisonment shall not have commenced under such Execution) shall be reckoned to begin from the Day when such Defendant shall be in actual Custody in the Gaol or Prison in which he may have been adjudged to be imprisoned under such Judgment; and if the Defendant shall have been discharged from Imprisonment on giving Bail in Error, as is herein-before mentioned, such Defendant shall be imprisoned for such further Period in the same Prison as, with the Time during which such Defendant may already have been imprisoned under such Execution, shall be equal to the Period for which he was adjudged to be imprisoned as aforesaid.

How Time of Imprisonment shall be reckoned when Defendant rendered in execution.

VII. Whenever Default shall have been made in rendering a Defendant to Prison in execution of a Judgment for Misdemeanor, and a Warrant shall have been issued against such Defendant to enforce

If Default be made in rendering Defendant to Prison, and

Warrant be issued against him, he shall pay the Costs and Charges of the Render.

enforce such Render to Prison, according to the Provisions of this Act, such Defendant shall be liable to pay the Costs and Charges of such Render; and if the Prosecutor shall, before the Expiration of the Defendant's Imprisonment, have caused the Amount of such Costs and Charges to be ascertained by One of the Masters or the Assistant Master on the Crown Side of the Court of Queen's Bench, and shall have left with the said Defendant, and with the Keeper of the Prison or his Deputy, a Certificate, under the Hand of such Master or Assistant Master, of the Amount of such Costs so ascertained, then and in every such last-mentioned Case the Defendant shall not be discharged out of Custody until such Costs and Charges have been paid, or until an Order has been made by the Court for the Relief of Insolvent Debtors or of Bankruptcy for such Discharge.

Where Default made by Defendant in proceeding to Trial in Queen's Bench, Court may estreat Recognizance without Scire facias.

VIII. And whereas in Cases of Default made by Parties in performing the Conditions of Recognizances into which they may have entered to proceed to the Trial of Issues joined upon any Indictment or Information filed in Her Majesty's Court of Queen's Bench it hath been the Usage and Practice to enforce the Forfeiture of such Recognizances by Writ of Scire facias, and the Course of Procedure by Scire facias in such Cases is dilatory, inconvenient, and expensive: Be it therefore enacted, That in every such Case of Default it shall be lawful for the said Court, or a Judge thereof, to call upon the Parties who have entered into such Recognizance, by Rule or Order to show Cause why such Recognizance should not be estreated into the Exchequer, and thereupon, unless Cause shall be shown to the Satisfaction of the said Court or Judge, in excuse of such Default, such Court or Judge may order such Recognizance to be estreated into the Exchequer.

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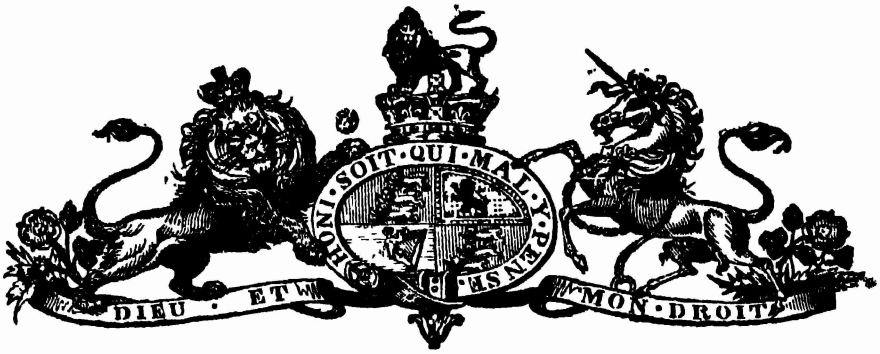

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carried in and by such Carriage, in the Form given in Schedule (B.) to this Act annexed, and upon Production of such Certificate at the Office of the Board of Inland Revenue, a Licence shall be granted; but it shall not be lawful for the said Board of Inland Revenue to grant or issue any Licence for any Metropolitan Stage or Hackney Carriage, within the Limits of this Act, unless the Person applying for the same shall produce such Certificate as aforesaid.

No Licence to be granted by Board of Inland Revenue without such Certificate.

Commissioners of Police may cause Carriages, &c. to be inspected, and if not in fit Condition may suspend Licences, and recall Stamp Office Plate.

II. It shall be lawful for the said Commissioners of Police to cause an Inspection to be made, as often as they deem it necessary, of all Metropolitan Stage and Hackney Carriages, and of the Horse or Horses used in drawing the same, within the Limits of this Act; and if any such Carriage, or the Horse or Horses used in drawing the same, shall at any Time be in a Condition unfit for public Use, the said Commissioners shall give Notice in Writing accordingly to the Proprietor thereof, which Notice shall be personally served on such Proprietor, or delivered at his usual Place of Residence; and if, after Notice as aforesaid, any Proprietor shall use or let to hire such Carriage as a Metropolitan Stage or Hackney Carriage, or use or let to hire such Horse or Horses whilst in a Condition unfit for public Use, the said Commissioners shall have Power to suspend, for such Time as they may deem proper, the Licence of the Proprietor of such Carriage, and to recall and take away the Stamp Office Plate belonging to the same, and to retain the same during the Suspension of such Licence; and a Notice shall be given to the Board of Inland Revenue, according to the Form in the Schedule (C.) to this Act annexed, in every Case by the said Commissioners of the Suspension of any such Licence, and of the Time for which it is suspended.

Notice to be given to Inland Revenue.

Penalty for using Carriage not in fit Condition.

III. Every Proprietor or Driver of a Metropolitan Stage or Hackney Carriage who shall use or let to hire within the Limits of this Act any Carriage as a Metropolitan Stage or Hackney Carriage which has not been certified by the said Commissioners of Police to be in a fit and proper Condition for public Use, or who shall use or let to hire within the Limits of this Act any Carriage as a Metropolitan Stage or Hackney Carriage for which such a Certificate had been granted, after Notice given to him as hereinbefore required by the said Commissioners that such Carriage was no longer in a fit and proper Condition for public Use, shall be liable to a Penalty not exceeding Three Pounds for each Day that he shall so use or let to hire such Carriage, or in default of Payment may be imprisoned for any Time not exceeding One Month.

As to Rates and Fares to be taken for

IV. The Proprietor or Driver of any Hackney Carriage within the Limits of this Act shall be entitled to demand and take for the Hire of

of such Carriage the Fares set forth in the Schedule (A.) to this Act annexed: Provided always, that when the Proprietor or Driver of any Hackney Carriage to be paid a Fare calculated according to the Distance shall be required by the Hirer thereof to stop such Carriage for Fifteen Minutes, or for any longer Time, it shall be lawful for the Proprietor or Driver to demand and receive from the Hirer so requiring him to stop a further Sum (above the Fare to which he shall be entitled, calculated according to the Distance) of Sixpence for every Fifteen Minutes completed that he shall have been so stopped; and no Proprietor or Driver shall demand or receive over and above the said Fare any Sum, for or by way of Back Fare, for the Return of such Carriage from the Place at which such Carriage shall be discharged.

Hackney Carriages.

No Back Fare to be taken or demanded.

V. The Proprietor of every Hackney Carriage within the Limits of this Act shall put up, and at all Times keep, distinctly painted or marked, in such a Manner and in such a Position as shall be directed by the said Commissioners of Police, both on the Inside and Outside of such Hackney Carriage, the Amount of Fare according to Distance and Time which may legally be demanded and taken from the Hirer of such Carriage; and the Driver of every Hackney Carriage within the Limits of this Act shall have with him at all Times when plying for Hire a Book or Table in such Form as shall be directed by the said Commissioners of Police of the Fares for the Hire of such Carriage, which Book or Table the Driver shall produce when required for the Information of any Person hiring or intending to hire such Carriage.

Table of Fares to be put up distinctly inside and outside of Hackney Carriages.

Driver to produce Book of Fares when required.

VI. In case of Disputes as to the Fare to be calculated according to the Distance, any Table or Book signed by the said Commissioners of Police shall, on Proof of such Signature, be deemed and taken to be conclusive Evidence of all the Distances therein stated to have been measured by the Authority of the said Commissioners of Police; and it shall be lawful for the said Commissioners to cause to be placed or erected at the several Standings for Hackney Carriages or elsewhere within the Metropolitan District, as they may deem convenient, Tables of Distances and Fares, and such other Information as may be useful to Persons hiring such Carriage.

As to Settlement of Disputes as to Distances.

VII. The Driver of every Hackney Carriage which shall ply for Hire at any Place within the Limits of this Act shall (unless such Driver have a reasonable Excuse, to be allowed by the Justice before whom the Matter shall be brought in question,) drive such Hackney Carriage to any Place to which he shall be required by the Hirer thereof to drive the same, not exceeding Six Miles from the Place where

As to Distance Drivers of Hackney Carriages shall be required to drive.

where the same shall have been hired, or for any Time not exceeding One Hour from the Time when hired: Provided always, that when any Hackney Carriage shall have been hired by Time, the Driver thereof may be required to drive at any Rate not exceeding Four Miles within One Hour, and if the Driver of such Carriage shall be required to drive more than Four Miles within One Hour, then in every such Case the Driver thereof shall be entitled to demand, in addition to the Fare regulated by Time in Schedule (A.) to this Act annexed, for every Mile or any Part thereof exceeding Four Miles, the Fare regulated by Distance as set forth in the same Schedule.

Driver to deliver a Ticket to Hirer of Carriage.

VIII. Every Driver of a Hackney Carriage within the Limits of this Act shall, on each Occasion when such Carriage shall be hired, deliver to the Hirer thereof a Card, on which shall be printed, in legible Letters and Figures, the Words "Hackney Carriage," and the Number of the Stamp Office Plate fixed on such Hackney Carriage, or such other Words or Figures as the said Commissioners of Police may direct.

Number of Persons to be carried to be painted or marked on Hackney Carriage.

IX. The Proprietor of every Hackney Carriage within the Limits of this Act shall put up and at all Times keep distinctly painted or marked on such Carriage, in such a Manner and in such a Position as shall be directed by the said Commissioners of Police, the Number of Persons to be carried thereby as specified in the Certificate granted by the said Commissioners for such Hackney Carriage, and the Driver of any such Hackney Carriage shall, if required by the Hirer thereof, carry in and by such Carriage the Number of Persons painted or marked thereon, or any less Number of Persons.

As to Quantity of Luggage to be carried without extra Charge.

X. The Driver of every Hackney Carriage within the Limits of this Act shall carry in or upon such Carriage a reasonable Quantity of Luggage for every Person hiring such Carriage without any additional Charge, except as provided in Schedule (A.) to this Act annexed.

Property left in Hackney Carriages to be deposited at the Police Office.

Penalty on Driver for Default.

XI. The Driver of every Hackney Carriage within the Limits of this Act wherein any Property shall be left by any Person shall within Twenty-four Hours carry such Property, if not sooner claimed by the Owner thereof, in the State in which he shall find the same, to the nearest Police Station, and shall there deposit and leave the same with the Inspector or other Officer on Duty, upon pain that every such Driver making any Default herein shall be liable to a Penalty not more than Ten Pounds, or at the Discretion of the Magistrate may be imprisoned for any Time not exceeding One Month; and the said Officer with whom any such Property shall

shall be deposited shall forthwith enter in a Book to be kept for that Purpose the Description of such Property, and the Name and Address of the Driver who shall bring the same, and the Day on which it shall be brought; and the Property so entered shall be returned to the Person who shall prove, to the Satisfaction of the Commissioners of Police, that the same belonged to him, such Person previously paying all Expenses incurred, together with such reasonable Sum to the Driver who brought the same as the said Commissioners shall award: Provided always, that if such Property shall not be claimed by and proved to belong to some Person within One Year after the same shall have been deposited, the said Commissioners shall cause such Property to be sold or otherwise disposed of, and the Proceeds thereof to be paid over to the Receiver-General of Inland Revenue, to be carried to the Public Account, all Expenses incurred about such Property, together with such reasonable Sum to the Driver who brought the same as the said Commissioners shall award, being first paid thereout; and all Property left by any Passenger in any Metropolitan Stage Carriage shall be given up to the Conductor of such Carriage, or, if there be no Conductor, to the Driver, upon pain of a Penalty of Ten Pounds, to be paid by any Person refusing or neglecting to give up any such Property belonging to another Person; and the Conductor or Driver of every such Carriage to whom any such Property shall be given up, or who shall himself find it in the Carriage, shall within Twenty-four Hours carry the Property, if not sooner claimed by the Owner thereof, in the State in which he shall find the same to the nearest Police Station, and shall there deposit and leave the same with the Inspector or other Officer on Duty, upon pain that every such Driver or Conductor making Default herein shall be liable to a Penalty not more than Ten Pounds, or at the Discretion of the Magistrate may be imprisoned for any Time not exceeding One Month; and the Property so deposited by any Conductor or Driver shall be dealt with in the same Manner as Property left in Hackney Carriages and deposited by the Drivers of such Carriages.

Property not claimed to be disposed of.

Penalty on refusing or neglecting to give up Property left in Stage Carriages.

XII. It shall be lawful for the said Commissioners of Police from Time to Time to appoint a sufficient Number of fit Men to enforce good Order at the Standings for Hackney Carriages, and at the Places at which Metropolitan Stage Carriages or Hackney Carriages shall call or ply for Passengers, and at such Places of public Resort within the Metropolitan Police District as they may deem necessary; and the said Commissioners may from Time to Time make such Orders and Regulations as they shall deem expedient, subject to the Approval of One of Her Majesty's Principal Secretaries of State given in Writing relative to the Duties to be performed by such Persons and the Places at which each shall act; provided that the said Commis-

Commissioners of Police to appoint Persons to enforce good Order at Hackney Carriage Stands, &c.

sioners shall not have Authority to appoint any such Person to act within or upon the Premises belonging to any Railway Company unless with the Consent of the Directors of the Company.

Power to Commissioners, with Consent of Treasury, to pay Wages to such Persons, and also to direct Water Rates to be paid.

XIII. The said Commissioners of Police, subject to the Approbation of the Commissioners of Her Majesty's Treasury, shall appoint Wages to be paid to the said Persons appointed by them to keep good Order at the Standings for Hackney Carriages and at the Places at which Metropolitan Stage Carriages or Hackney Carriages shall call or ply for Passengers, and at such Places of public Resort as they may deem necessary; and the said Commissioners shall also, in such Cases as they think fit, direct the Water Rates and the Expenses of the necessary Apparatus for laying on the Water at the Standings for Hackney Carriages and at Places where Metropolitan Stage Carriages usually call or ply for Hire to be paid.

Lamps to be placed inside Metropolitan Stage Carriages.

XIV. The Proprietor of every Metropolitan Stage Carriage shall cause to be placed inside such Carriage a Lamp, in such a Position and Manner as shall be directed by the said Commissioners of Police; and the Conductor, or if there be no Conductor the Driver, of such Carriage shall keep the said Lamp properly lighted whenever such Carriage shall be used to ply for Hire or carry Passengers at any Time after Sunset and before Sunrise.

Printed Bills, &c. not to be put on Metropolitan Stage or Hackney Carriages, so as to obstruct Light, &c.

XV. It shall not be lawful for the Proprietor of any Metropolitan Stage or Hackney Carriage to suffer any Notice, Advertisement, or printed Bill, or any Names, Letters, or Numbers, to appear upon the Outside of any such Carriage in such a Manner as to obstruct the Light or Ventilation of such Carriage, or on the Inside of any such Carriage in such Position that any such Notice, Advertisement, or printed Bill shall obstruct the Light or Ventilation of such Carriage or cause Annoyance to any Passenger therein.

Advertising Vehicles, &c. prohibited.

XVI. It shall not be lawful for any Person to carry about on any Carriage or on Horseback or on Foot, in any Thoroughfare or public Place within the Limits of this Act, to the Obstruction or Annoyance of the Inhabitants or Passengers, any Picture, Placard, Notice, or Advertisement, whether written, printed, or painted upon or posted or attached to any Part of such Carriage, or on any Board, or otherwise.

Drivers and Conductors of Metropolitan Stage Carriages, and Drivers

XVII. The Driver or Conductor of any Metropolitan Stage Carriage, or the Driver of any Hackney Carriage, who shall respectively commit any of the following Offences within the Limits of this Act, shall be liable to a Penalty not exceeding Forty Shillings for each Offence,

Offence, or in default of Payment to Imprisonment for any Time not exceeding One Calendar Month:

of Hackney Carriages, liable to Penalties for Offences herein named.

1. Every Driver of a Hackney Carriage who shall demand or take more than the proper Fare as set forth in Schedule (A.) to this Act annexed, or who shall refuse to admit and carry in his Carriage the Number of Persons painted or marked on such Carriage or specified in the Certificate granted by the said Commissioners of Police in respect of such Carriage, or who shall refuse to carry by his Carriage a reasonable Quantity of Luggage for any Person hiring or intending to hire such Carriage:
2. Every Driver of a Hackney Carriage who shall refuse to drive such Carriage to any Place within the Limits of this Act, not exceeding Six Miles, to which he shall be required to drive any Person hiring or intending to hire such Carriage, or who shall refuse to drive any such Carriage for any Time not exceeding One Hour, if so required by any Person hiring or intending to hire such Carriage, or who shall not drive the same at a reasonable and proper Speed, not less than Six Miles an Hour, except in Cases of unavoidable Delay, or when required by the Hirer thereof to drive at any slower Pace:
3. Every Driver of a Hackney Carriage who shall ply for Hire with any Carriage or Horse which shall be at the Time unfit for public Use, or who shall refuse or neglect to deliver to the Hirer of his Carriage a Ticket with the Number of the Stamp Office Plate on such Carriage printed thereon.

Power to Police Magistrates or Justices of the Peace to hear and determine Offences.

XVIII. It shall be lawful for any One of the Police Magistrates at any of the Metropolitan Police Courts to hear and determine all Offences against the Provisions of this Act, and also all Disputes or Causes of Complaint that may arise out of the same; or if the Offence, Dispute, or Cause of Complaint shall be committed or occur in any Place not comprised within the Limits of a Police Court District, the same may be heard and determined by Two Justices of the Peace for the County; or if the Offence, Dispute, or Cause of Complaint shall be committed or occur within the City of *London*, the same shall be heard and determined by One Justice of the Peace for the said City, or by a Metropolitan Police Magistrate sitting at the Police Court in *Bow Street;* and in case of any Dispute between the Hirer and Driver of any Hackney Carriage, the Hirer may require the Driver forthwith to drive to the nearest Metropolitan Police Court or Justice Room, where Complaint may be made to the Magistrate then sitting, who shall hear and determine the same, without requiring any Summons to be issued for that Purpose; and if such Dispute should arise at a Time when the Police Court or Justice

In case of Disputes the Hirer may require the Driver to drive to a Police Court, &c. or to a Police Station.

Justice Room shall not be open, the Hirer may require the Driver to drive to the nearest Police Station or Justice Room, where the Complaint shall be entered, and Notice given to both Parties that the Matter in Dispute shall be heard by the Magistrate at his next Sitting.

Penalty for Offences against this Act for which no Penalty is appointed.

XIX. For every Offence against the Provisions of this Act for which no special Penalty is herein-before appointed, the Offender shall be liable to a Penalty not exceeding Forty Shillings, or in default of Payment be imprisoned for any Time not exceeding One Month in any Gaol or House of Correction within the Jurisdiction of the Magistrate before whom the Conviction shall take place.

Meaning of certain Words used in this Act.

XX. All Things herein authorized to be done by the said Commissioners of Police of the Metropolis shall be done by such One of the said Commissioners as One of Her Majesty's Principal Secretaries of State shall from Time to Time be pleased to appoint; and the Words "the Limits of this Act" shall include every Part of the Metropolitan Police District and City of *London*.

This Act to be construed with 6 & 7 Vict. c. 86. and 13 & 14 Vict. c. 7.

XXI. This Act shall be construed as One Act with the Act passed in the Seventh Year of the Reign of Her Majesty Queen *Victoria*, Chapter Eighty-six, and the Act passed in the Thirteenth Year of the Reign of Her Majesty, Chapter Seven; and all the Provisions of the said Acts, except so far as is herein otherwise provided, shall extend to this Act, and to all Things done in execution of this Act.

Commencement of Act.

XXII. This Act shall commence and take effect from and after the Tenth Day of *July* One thousand eight hundred and fifty-three, except as herein otherwise specially provided.

SCHE-

SCHEDULES referred to in the foregoing Act.

RATES and FARES to be paid for any HACKNEY CARRIAGE hired at any Place within the Limits of this Act.

SCHEDULE (A.)

Description of Carriage.	Fare by Distance.		Fare by Time.	
	For any Distance within and not exceeding One Mile.	For any Distance exceeding One Mile.	For any Time within and not exceeding One Hour.	
With Four or Two Wheels, drawn by One Horse.	6*d.*	After the Rate of Sixpence for every Mile, and for any Part of a Mile over and above any Number of Miles completed.	2*s.*	And for every Hackney Carriage drawn by Two Horses One Third above the Rates and Fares herein-before mentioned.

The above Fares to be paid according to Distance or Time, at the Option of the Hirer, to be expressed at the Commencement of the Hiring; if not otherwise expressed, the Fare to be paid according to Distance.

Provided, that no Driver shall be compellable to hire his Carriage for a Fare to be paid according to Time at any Time after Eight o'Clock in the Evening and before Six o'Clock in the Morning.

When more than Two Persons shall be carried inside any Hackney Carriage, one Sum of 6*d.* is to be paid for the whole Hiring in addition to the above Fares. Two Children under Ten Years of Age to be counted as One adult Person.

When more than Two Persons shall be carried inside any Hackney Carriage with more Luggage than can be carried inside the Carriage, a further Sum of Twopence for every Package carried outside the said Carriage is to be paid by the Hirer in addition to the above Fares.

SCHEDULE (B.)

CERTIFICATE.

I, do hereby certify, that on the Application of , now living at , I have caused the Carriage known by the following Marks or Description [*here state Marks or Description by which the Carriage may be identified*], to be inspected, which the said desires to use and let to hire as a [Metropolitan Stage Carriage, *or* as a Hackney Carriage]; and I certify that the said Carriage is in a fit and proper Condition for public Use, and that Persons are

to be carried thereby [*if the Carriage be a Metropolitan Stage Carriage, the Number of Passengers to be carried Inside and Outside thereof respectively is to be specified, exclusive of the Driver and Conductor*].

(Signed)
Commissioner of the Police of the Metropolis.

SCHEDULE (C.)

Certificate.

I, do hereby certify, that I have caused the Carriage now used and let to hire as a [*state whether a Metropolitan Stage or Hackney Carriage*], and known by the following Marks or Description [*here state Marks or Description by which the Carriage may be identified*], to be inspected, and find the said Carriage not to be in a fit and proper Condition for public Use; and I do hereby suspend the Licence granted to to keep and use the said Carriage as a [*state whether a Metropolitan Stage or Hackney Carriage*] for the Period of from this Date.

(Signed)
Commissioner of the Police of the Metropolis.

LONDON:
Printed by George Edward Eyre and William Spottiswoode, Printers to the Queen's most Excellent Majesty. 1853.

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

limited, the several Rates and Duties herein-after mentioned; (that is to say,)

For and in respect of the Property in any Lands, Tenements, or Hereditaments in the United Kingdom, and for and in respect of every Annuity, Pension, or Stipend payable by Her Majesty, or out of the public Revenue of the United Kingdom, and for and in respect of all Interest of Money, Annuities, Dividends, and Shares of Annuities, payable to any Person or Persons, Bodies Politic or Corporate, Companies or Societies, whether corporate or not corporate, and for and in respect of the annual Profits or Gains arising or accruing to any Person or Persons whatever resident in the United Kingdom, from any Kind of Property whatever, whether situate in the United Kingdom or elsewhere, or from any Annuities, Allowances, or Stipends, or from any Profession, Trade, or Vocation, whether the same shall be respectively exercised in the United Kingdom or elsewhere, and for and in respect of the annual Profits or Gains arising or accruing to any Person or Persons not resident within the United Kingdom from any Property whatever in the United Kingdom, or from any Trade, Profession, or Vocation exercised in the United Kingdom, for every Twenty Shillings of the annual Value or Amount thereof,—

	£	s.	d.
During the Term of Two Years from the Fifth Day of *April* One thousand eight hundred and fifty-three, the yearly Duty of - - - -	0	0	7
And during the further Term of Two Years from the Fifth Day of *April* One thousand eight hundred and fifty-five, the yearly Duty of - - -	0	0	6
And during the further Term of Three Years from the Fifth Day of *April* One thousand eight hundred and fifty-seven, the yearly Duty of - - -	0	0	5

And for and in respect of the Occupation of such Lands, Tenements, or Hereditaments (other than a Dwelling House occupied by a Tenant distinct from a Farm of Lands), for every Twenty Shillings of the annual Value thereof,—

	In England.			In Scotland and Ireland.		
	£	s.	d.	£	s.	d.
During the said first-mentioned Term of Two Years, the yearly Duty of -	0	0	3½	0	0	2½
And during the said further Term of Two Years, the yearly Duty of -	0	0	3	0	0	2¼
And during the said further Term of Three Years, the yearly Duty of -	0	0	2½	0	0	1¾

II. For

II. For the Purpose of classifying and distinguishing the several Properties, Profits, and Gains for and in respect of which the said Duties are by this Act granted, and for the Purposes of the Provisions for assessing, raising, levying, and collecting such Duties respectively, the said Duties shall be deemed to be granted and made payable yearly for and in respect of the several Properties, Profits, and Gains respectively described or comprised in the several Schedules contained in this Act, and marked respectively (A.), (B.), (C.), (D.), and (E.), and to be charged under such respective Schedules; (that is to say,)

Duties payable in respect of Subjects described in Schedules.

SCHEDULE (A.)

For and in respect of the Property in all Lands, Tenements, Hereditaments, and Heritages in the United Kingdom, and to be charged for every Twenty Shillings of the annual Value thereof:

SCHEDULE (B.)

For and in respect of the Occupation of all such Lands, Tenements, Hereditaments, and Heritages as aforesaid, and to be charged for every Twenty Shillings of the annual Value thereof:

SCHEDULE (C.)

For and in respect of all Profits arising from Interest, Annuities, Dividends, and Shares of Annuities payable to any Person, Body Politic or Corporate, Company or Society, whether corporate or not corporate, out of any Public Revenue, and to be charged for every Twenty Shillings of the annual Amount thereof:

SCHEDULE (D.)

For and in respect of the annual Profits or Gains arising or accruing to any Person residing in the United Kingdom from any kind of Property whatever, whether situate in the United Kingdom or elsewhere, and for and in respect of the annual Profits or Gains arising or accruing to any Person residing in the United Kingdom from any Profession, Trade, Employment, or Vocation, whether the same shall be respectively carried on in the United Kingdom or elsewhere, and to be charged for every Twenty Shillings of the annual Amount of such Profits and Gains:

And for and in respect of the annual Profits or Gains arising or accruing to any Person whatever, whether a Subject of Her Majesty or not, although not resident within the United Kingdom, from any Property whatever in the United Kingdom, or any Profession, Trade, Employment, or Vocation exercised within the United Kingdom, and to be charged for every Twenty Shillings of the annual Amount of such Profits and Gains:

And

And for and in respect of all Interest of Money, Annuities, and other annual Profits and Gains not charged by virtue of any of the other Schedules contained in this Act, and to be charged for every Twenty Shillings of the annual Amount thereof.

SCHEDULE (E.)

For and in respect of every Public Office or Employment of Profit, and upon every Annuity, Pension, or Stipend payable by Her Majesty or out of the Public Revenue of the United Kingdom, except Annuities charged to the Duties under the said Schedule (C.), and to be charged for every Twenty Shillings of the annual Amount thereof.

Duties on fractional Parts.

III. Upon every fractional Part of Twenty Shillings of the annual Value or Amount of the Property, Profits, and Gains aforesaid, the like Proportion of Duty at the respective Rates aforesaid shall be charged; provided that no Duty shall be charged of a lower Denomination than One Penny.

Duties to be under the Management of the Commissioners of Inland Revenue.

IV. The Duties by this Act granted shall be under the Direction and Management of the Commissioners of Inland Revenue for the Time being, who are hereby empowered to employ all such Officers or other Persons, and to do all such other Acts and Things as may be deemed necessary or expedient for the raising, collecting, receiving, and accounting for the said Duties, and for putting this Act into execution in and throughout the United Kingdom, in the like and in as full and ample a Manner as they are authorized to do with relation to any other Duties under their Care and Management.

Duties to be assessed and raised under the Provisions of recited Acts.

V. The said Duties hereby granted shall be assessed, raised, levied, and collected under the Regulations and Provisions of the Act passed in the Session of Parliament held in the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, and of the several Acts therein mentioned or referred to, and also of any Act or Acts subsequently passed explaining, altering, amending, or continuing the said first-mentioned Act; and for this Purpose all the said several Acts shall be revived, and shall be deemed to have been and to be continued in force from the Fifth Day of *April* One thousand eight hundred and fifty-three; and all such of the said Regulations and Provisions as have been enacted by the said Acts, or any of them, with reference to *Great Britain* or *England*, shall (so far as the same are or may be applicable consistently with the express Provisions of this Act) be and the same are hereby extended to *Ireland;* and all Powers, Authorities, Rules, Regulations, Directions, Penalties, Clauses, Matters, and Things contained in or enacted by the said several Acts before

before recited or referred to, or any of them, shall, notwithstanding that the same may have expired, severally and respectively be and become in full Force and Effect with respect to the Duties hereby granted, and shall in all Cases not expressly provided for by this Act, and so far as the same are not superseded by and are consistent with the express Provisions of this Act, severally and respectively be duly observed, applied, practised, and put in execution throughout the respective Parts of the United Kingdom, for raising, levying, collecting, receiving, accounting for, and securing the said Duties hereby granted, and for auditing the Accounts thereof, and otherwise relating thereto, as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Rules, Regulations, Directions, Penalties, Clauses, Matters, and Things were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties hereby granted, and respectively applied to the several Parts of the United Kingdom as aforesaid; and wherever in the said Acts, or any of them, the Term "*England*" is used or mentioned, the same, in relation to the Duties granted by this Act, shall be deemed to extend to and to mean also *Ireland*; and in like Manner the Term "*Great Britain*" shall be read as and deemed and construed to mean the United Kingdom; and where in the Provisions of the said Acts Her Majesty's Court of Exchequer at *Westminster*, or any of Her Majesty's Courts of Record at *Westminster*, is or are mentioned or referred to, such Provisions shall, with reference to the Duties under this Act to be assessed in *Ireland*, be construed and take effect as if Her Majesty's Court of Exchequer at *Dublin*, or Her Majesty's Superior Courts of Record at *Dublin*, were mentioned or referred to instead of the said respective Courts at *Westminster*, and the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, and the Acts explaining, altering, amending, and continuing the same, and this Act, shall be construed and read together as One Act.

Provisions of former Act not to extend to exempt Persons receiving Profits from Possessions or Securities in Ireland, &c. or from Foreign Possessions or Securities.

VI. Provided always, That nothing in the said first-mentioned Act contained shall be deemed or construed to extend to exempt any Person, although not resident in any Part of the United Kingdom, from the Duties granted by this Act in respect of the Profits or Gains received from or out of any Possessions or Securities in *Ireland*, or to exempt any Person resident in any Part of the United Kingdom from the said Duties in respect of the Profits or Gains received from or out of any Possessions or Securities in any other of Her Majesty's Dominions, or any Foreign Possessions or Securities.

Duties in respect of Securities and Posses-

VII. Provided also, That the Duties in respect of Interest arising from Securities in *Ireland*, and in respect of Possessions in *Ireland*, which

sions in Ireland to be charged in the same Manner as Securities and Possessions of the like Nature in Great Britain are chargeable, except as modified by this Act.

which by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, are directed to be charged and assessed respectively according to certain Rules prescribed for charging the Duties under the Head respectively of "Fourth Case" and "Fifth Case" of Schedule (D.), and in Section One hundred and six of the said Act, shall under this Act be charged and assessed in *Ireland* in the same Manner and under the same Schedules, Rules, and Regulations respectively as the Duties on Securities and Possessions of the like Nature in *Great Britain* are directed to be charged, except so far as such Schedules, Rules, and Regulations are altered or modified in regard to the assessing or charging of Duties in *Ireland* by the express Provisions of this Act.

Persons holding Offices in Ireland, and Members of Parliament residing in Ireland, to be chargeable, notwithstanding certain Provisions in 5 & 6 Vict. c. 35.

VIII. Provided also, That, notwithstanding anything in the said Act of the Fifth and Sixth Years of Her Majesty contained, Persons holding Offices in *Ireland* and residing in *Great Britain*, and Persons usually residing in *Ireland* and serving in Parliament, shall be chargeable to the Duties by this Act granted, without regard to any Exemption from the Duties of Assessed Taxes; and that this Act shall extend to charge Persons resident in *Ireland* with the Duties under Schedule (E.) in respect of Public Offices or Employments, although the Duties thereof are necessarily and permanently performed in *Ireland*.

Commissioners appointed under former Acts to be Commissioners under this Act.

IX. The several Persons chosen or appointed under the Provisions of the said first-mentioned Act to be respectively Commissioners for the general Purposes of the said Act, and to be respectively additional or other Commissioners, being respectively duly qualified in that Behalf, and also the several Persons appointed to be and who on the Fifth Day of *April* One thousand eight hundred and fifty-three were Commissioners for the special Purposes of the said Act, shall, without any further or other Election, Nomination, or Appointment respectively, be such Commissioners as aforesaid for the like Purposes under this Act; and wherever in the said Act, or in any Act relating to the Duties thereby granted, Mention is made of the Commissioners of Stamps and Taxes, the same in relation to the Duties granted by this Act shall be construed and deemed to designate the Commissioners of Inland Revenue: Provided that no Persons shall be Commissioners to supply Vacancies amongst the said Commissioners for general Purposes except such Persons as shall after the passing of this Act be chosen for that Purpose in the Manner provided by the said first-mentioned Act.

Persons intrusted with the Payment

X. The Provision made by the Act passed in the said Session of the Fifth and Sixth Years of Her Majesty, Chapter Eighty, Section Two,

Two, for the assessing and charging the Duties on Dividends and Shares of Annuities payable out of the Revenue of any Foreign State, shall be and the same is hereby extended to the assessing and charging of the Duties granted by this Act, as well on such Dividends and Shares of Annuities as aforesaid as on all Interest, Dividends, or other annual Payments payable out of or in respect of the Stocks, Funds, or Shares of any Foreign Company, Society, Adventure, or Concern, or in respect of any Securities given by or on account of any such Company, Society, Adventure, or Concern, and which said Interest, Dividends, or annual Payments have been or shall be intrusted to any Person in the United Kingdom for Payment to any Persons, Corporations, Companies, or Societies in the United Kingdom, and all Persons intrusted with the Payment of any such Interest, Dividends, or other annual Payments as aforesaid in the United Kingdom, or acting therein as Agents or in any other Character, shall and they are hereby required to do and perform all such Acts, Matters, and Things, in order to the assessing and charging and paying of the said Duties on all such Interest, Dividends, or other annual Payments as aforesaid, and under and subject to the like Penalty or other Liability for any Neglect, Refusal, or Default in that Behalf, as by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Eighty, Persons intrusted with the Payment of Annuities or any Dividends or Shares of Annuities are required to do and perform, or are subject or liable to for any similar Neglect, Refusal, or Default; and the Assessments of the Duties on all such Interest, Dividends, and other annual Payments as aforesaid shall be made by the Commissioners for Special Purposes under Schedule (D.) of this Act, and the said Commissioners shall do and perform all such Acts, Matters, and Things in relation to such Assessments as by the said Act, Chapter Eighty, they are required to do or perform in relation to any Assessment under the said last-mentioned Act.

in the United Kingdom of Interest or Dividends from Foreign Companies to do all Acts necessary in order to Assessments being made thereon in manner directed by 5 & 6 Vict. c. 80.

XI. The Governor and Directors of the Company of the Bank of *Ireland* shall be Commissioners for executing this Act, for the Purpose of assessing and charging the Duties hereby granted in respect of all Annuities, Dividends, and Shares of Annuities payable by the Governor and Company of the Bank of *Ireland* out of the Public Revenue of the United Kingdom to any Persons, Corporations, or Companies whatever, and in respect of all Profits and Gains of the said Company chargeable under Schedule (D.) of this Act, and in respect of all other Dividends, Interests, Annuities, Pensions, and Salaries payable by the said Company, and also in respect of all other Profits chargeable with Duty under this Act and arising within any

Governor and Directors of the Bank of Ireland to be Commissioners for assessing Duties on Annuities, Dividends, Pensions, and Salaries payable by the Bank, and on their Profits.

any Office or Department under the Management or Control of the said Governor and Company; and the said last-mentioned Commissioners shall have, use, and exercise all the Powers and Authorities of Commissioners for the general Purposes of this Act, so far as the same relate to the said Duties to be assessed and charged by the said Governor and Directors, and shall make their Assessments of the said Duties, under and subject to the Rules, Regulations, and Exemptions contained in the said first-mentioned Act in relation to the said Duties respectively: Provided always, that the Duties by this Act granted shall extend to and be payable upon all Annuities, Dividends, and Share of Annuities payable in *Ireland* out of the Revenue of the United Kingdom to or for the Use or Benefit of any Person, whether resident in *Ireland* or elsewhere.

The Clerks of the Boards of Guardians in Ireland to transmit to the Commissioners of Inland Revenue annually Copies of the Poor Rates.

XII. In order to the assessing of the Duties chargeable under the respective Schedules (A.) and (B.) of this Act in *Ireland*, the Clerk of the Board of Guardians of every Poor Law Union in *Ireland*, or the Person acting as such Clerk, shall, within One Month after the passing of this Act, and between the Fifth Day of *April* and the First Day of *June* in every succeeding Year, transmit to the Commissioners of Inland Revenue, at their Head Office in *Dublin*, true Copies of the last Rates made by such Guardians for the Relief of the Poor in such Union, and in every Electoral Division thereof, and the Collector General of Rates in the City of *Dublin* shall, in like Manner and within the same Period in each Year, transmit to the said Commissioners true Copies of the last Rates made for the Relief of the destitute Poor in the several Electoral Divisions or Parts thereof in which he is by Law authorized to make and declare such Rates; and the Commissioners of Inland Revenue shall pay to the said Clerk and Collector respectively the Cost and Expense of making all such Copies, not exceeding the Rate of Two Shillings and Sixpence for every One hundred Ratings; and if any such Clerk or any Person acting as such Clerk or such Collector shall in any Year neglect to transmit such Copies in compliance with this Enactment he shall for every such Neglect forfeit the Sum of Fifty Pounds.

Duties under Schedules (A.) and (B.) in Ireland to be assessed according to the Valuations under the Poor Relief Acts.

XIII. The Duties chargeable in *Ireland* under the respective Schedules (A.) and (B.) of this Act shall be charged and assessed by a Poundage Rate upon the annual Value of all Tenements and rateable Hereditaments, according to the respective Surveys and Valuations made or to be made and from Time to Time in force for the Purposes of the Rates for the Relief of the Poor in *Ireland*; and the Assessment of the said Duties in *Ireland* chargeable under the said Schedule (A.) shall be made upon the Landlord or immediate Lessor of such Tenements or rateable Hereditaments, or if it shall appear

appear to the Commissioners for special Purposes to be necessary or proper, the said Assessment shall be made upon such Person as the Rate for the Relief of the Poor shall be made upon in respect of any such Property under the Provisions of the Acts in that Behalf; and the Assessment of the said Duties chargeable under the said Schedule (B.) shall be made upon the Occupier of such Property: Provided always, that if upon the Appeal, as herein-after mentioned, of any Person deeming himself aggrieved by any such Assessment, it shall be proved to the Satisfaction of the Commissioners, Assistant Barrister, Chairman, or Recorder, by whom such Appeal shall be heard or re-heard, as the Case may be, that such Assessment is made upon an Amount or Value exceeding the annual Rent at which the Property in respect whereof such Assessment is made is worth to be let from Year to Year, the Person hearing or re-hearing such Appeal shall give Relief by reducing and abating such Assessment, and charging the Duties on the Amount of such annual Value as aforesaid, notwithstanding that the same may be less than the annual Value of the Premises according to any such Survey or Valuation as aforesaid; and if such annual Value at which such Property is worth to be let as aforesaid shall exceed the actual Rent payable yearly by the Tenant or Occupier of such Premises, the Landlord or immediate Lessor shall be assessed under Schedule (A.) upon the Amount of such actual Rent only, and the Tenant or Occupier shall be assessed under the said Schedule (A.) on the Difference between that Amount and the Amount of such last-mentioned annual Value, subject nevertheless to any Claim for Exemption which the Parties respectively may be entitled to: Provided also, that where any Person receiving Rent in respect of any Hereditament in *Ireland* exempt from being rated to the Relief of the Poor is liable to be rated in respect of such Rent to the Extent of One Half the Poundage of any Poor Rate, the said Duties in *Ireland* chargeable under the said Schedule (A.) shall be charged and assessed upon such Person by a Poundage Rate upon the full Amount of such Rent.

On whom Assessments to be made.

Persons receiving Rent out of Hereditaments in Ireland exempt from Poor Rates to be assessed to full Amount of Rent.

XIV. Provided also, That if in any Case it appear to the Commissioners of Inland Revenue that any such Valuation as aforesaid for the Time being in force is not correct (having reference to the Principles according to which the same ought by Law to have been made,) with respect to all or any of the Tenements or rateable Hereditaments included therein, it shall be lawful for such Commissioners to direct the Commissioner of Valuation to make or cause to be made a Re-valuation of the Tenements or Hereditaments with respect to which the said Valuation is incorrect, and such Commissioner of Valuation shall forthwith, with all convenient Speed, make or cause to be made such Re-valuation accordingly, and sign the same and transmit

Commissioners of Inland Revenue may direct Re-valuations where existing Valuations are incorrect.

transmit it to the Commissioners of Inland Revenue; and such Re-valuation shall be made according to the Principles or Rules according to which such incorrect Valuation ought by Law to have been made, and the Duties chargeable under the said Schedules (A.) and (B.) shall, after such Re-valuation, be charged and assessed according thereto; provided that if any Person assessed to the last-mentioned Duties according to such Re-valuation deem himself aggrieved thereby, it shall be lawful for him to appeal against such Assessment on the ground of the Incorrectness of such Re-valuation, and upon such Appeal it shall be lawful for the Commissioners, Assistant Barrister, Chairman, or Recorder hearing or re-hearing such Appeal to alter as well such Re-valuation as the Assessment thereon, and make such Order in relation thereto as they or he may think fit.

Allowance for Poor Rates chargeable on the Landlord's Rent in Ireland.

XV. In assessing in *Ireland* the Duties chargeable under Schedule (A.) of this Act on the Landlord or immediate Lessor, in every Case where the Amount or annual Value on which the Assessment is made on him is not less than the annual Rent reserved or payable to him for the Premises in respect of which the Assessment is made, an Allowance or Abatement of a proportionate Part of the Duty shall be made in respect of the Amount of the Poor Rates which such Landlord or Lessor shall have paid or borne for the same Premises in the Year preceding; and if the Amount or annual Value on which such Assessment as aforesaid is made shall be less than the said Rent, then such Allowance or Abatement as aforesaid shall be made only in respect of so much as the Amount of the said Poor Rate added to the Sum on which the Assessment is made shall exceed the actual Rent.

By whom Assessments under Schedules (A.) and (B.) in Ireland are to be made and collected.

XVI. All Assessments of the said Duties under the said Schedules (A.) and (B.), in *Ireland*, shall be made by Surveyors of Taxes or other Officers of Inland Revenue acting in that Behalf under the Directions of the Commissioners of Inland Revenue; and every such Assessment shall be made for and comprise the respective Premises situate within a Union, or an Electoral Division, or such other District as the said last-mentioned Commissioners shall direct; and the same shall be signed by Two of the Commissioners for special Purposes, who shall cause Duplicates thereof, together with their Warrants for the collecting and levying of the Sums thereby assessed, to be delivered to such Person or Persons as they shall appoint to be Collectors of such Assessments.

How Assessments in Ireland under Schedules

XVII. Every such Assessment in *Ireland* of the Duties under the said Schedules (A.) and (B.) of this Act may be collected, levied, and recovered by Distress by the Person appointed in manner aforesaid

said to be the Collector thereof from the Person assessed, or from the Occupier of the Property assessed, or may be levied upon the particular Premises in respect of which the Assessment is made; and all Goods and Chattels, to whomsoever the same shall belong, found on such Premises in respect of which any Assessment is made of the said Duties under this Act, shall be liable to be distrained and sold for the Recovery of the said Duties; or such Duties as aforesaid, or any Arrears thereof, may be levied and recovered in the same Manner as other Duties assessed in *Ireland* under this Act may be levied and recovered: Provided always, that the Duty assessed under the said Schedule (A.) upon or in respect of any Tenement or Hereditament may be collected, recovered, and levied by the said Collector from the Landlord or immediate Lessor of the Premises assessed, whether he be named in the Assessment or not; and to that end such Collector is hereby authorized and empowered to use, exercise, and put in force against such Landlord or immediate Lessor all or any of the Remedies, Ways, and Means provided by an Act of the First and Second Years of Her Majesty, Chapter Fifty-six, and an Act of the Sixth and Seventh Years of Her Majesty, Chapter Ninety-two, or either of the said Acts, by which any Rate made for the Relief of the destitute Poor in *Ireland* may be collected, recovered, or levied from any immediate Lessor primarily liable to the Payment of Rates for Premises the Occupier of which is exempted from such Payment: Provided also, that where any Proceeding for the Recovery of any such Rate is by Law required to be had or taken in the Name of the Guardians of a Poor Law Union, or by the Direction or with the Consent of such Guardians or of the Poor Law Commissioners, or by or with any other Direction or Consent, the like Proceeding for the Recovery of the said Duties under this Act may be had and taken by and in the Name of such Collector as aforesaid, and without any such Direction or Consent; provided that where any Assessment under the said Schedule (A.) shall have been made upon the Tenant or Occupier of the Premises assessed, the Landlord or immediate Lessor shall be liable to be proceeded against in manner aforesaid only in default of Payment of such Assessment by the said Tenant or Occupier, and for the Recovery of so much only of the Duty assessed as shall be chargeable in respect of the Rent payable yearly to such Landlord or immediate Lessor for the Premises assessed.

(A.) and (B.) are to be collected, levied, and recovered.

XVIII. When any Landlord or immediate Lessor of any Tenement or Hereditament in *Ireland* assessed to the Duty chargeable under Schedule (A.) of this Act shall have paid such Duty, and shall afterwards prove to the Satisfaction of the Commissioners for special Purposes that the Rent due or payable to him in respect of such Tenement

Landlords in Ireland entitled to claim Return of Duty paid by them in respect of Rent lost by

Bankruptcy or absconding of Tenant.

Tenement or Hereditament for the Period for which the said Duty was assessed, or any Portion of such Rent, has been wholly and irrecoverably lost by reason of the Bankruptcy, Insolvency, or absconding of the Tenant or Occupier by whom such Rent was payable, or by the fraudulent Assignment or Removal of his Goods, or by reason of such Tenement or Hereditament being left waste and unoccupied, then and in such Case the said Landlord or Lessor shall be entitled to be repaid such Proportion of the said Duty as he shall have paid in respect of the Rent so lost; and the said Commissioners shall order and direct the Repayment of such Proportion of Duty in like Manner as by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, they are authorized to order and direct the Repayment of Duty in other Cases, provided that such Landlord or Lessor shall make his Claim for such Repayment to the said Commissioners within the Period of Six Calendar Months after the Expiration of the Year for which the said Duty was assessed.

Persons having the Custody of Valuations under the Poor Relief Acts in Ireland to produce same to Officers under this Act, and to permit Copies to be taken. Penalty for Refusal, &c.

XIX. Every Person having in his Custody or Possession any Survey or Valuation on which the Rates for any Union or Electoral Division shall be assessed or made, or any Rate or Assessment made under the Provisions of the Acts for the Relief of the Poor in *Ireland*, or any of them, shall, at the Request of any Inspector, Surveyor, or other Officer acting in the Execution of this Act in *Ireland*, produce and show every such Survey, Valuation, Rate, and Assessment to such Inspector, Surveyor, or other Officer, and permit him to inspect the same, and to take Copies thereof or Extracts therefrom without paying anything for the same; and in case the Person having the Custody or Possession of any such Survey, Valuation, Rate, or Assessment shall, on any such Request as aforesaid, refuse to produce the same to such Inspector, Surveyor, or other Officer, or to permit him to inspect the same, or to take Copies thereof or such Extracts as he may think fit to take therefrom, such Person shall, for every such Refusal, forfeit the Sum of Fifty Pounds.

By whom Assessments under Schedules (D.) and (E.) to be made in Ireland.

XX. The Assessments of the Duties chargeable in *Ireland* under the several Schedules (D.) and (E.) of this Act shall be made by such Surveyors of Taxes, or other Officers of Inland Revenue as the Commissioners of Inland Revenue shall appoint in that Behalf; and such Assessments shall be allowed and signed by the Commissioners for special Purposes, who shall also appoint the Times and Places for hearing Appeals against the same as herein-after mentioned, and shall also cause due Notice of every such Assessment, and of the Amount thereof, and of the Time and Place appointed for hearing any Appeal

Appeal against the same, to be given by some Officer of Inland Revenue to every Person so assessed.

XXI. All Appeals against Assessments under this Act in *Ireland* shall be heard and determined by the said Commissioners for special Purposes, or any Two of them, whose Determination on any such Appeal shall be final and conclusive, unless the Person charged by the Assessment shall think himself aggrieved by such Determination, and shall require that such Appeal shall be re-heard as herein-after provided; and where any Person charged by any such Assessment as aforesaid, and to whom Notice thereof and of the Time and Place appointed for hearing any Appeal against the same shall be given as herein-before directed, shall neglect to appeal accordingly, such Assessment shall also be conclusive, and such Person shall be precluded from afterwards disputing or questioning the same.

Appeals in Ireland to be heard and determined by the Commissioners for special Purposes.

XXII. If any Person charged by an Assessment in *Ireland* shall think himself aggrieved by the Determination of the said Commissioners for special Purposes in any such Appeal as aforesaid, it shall be lawful for him, on giving Notice in Writing to the Inspector or Surveyor within Ten Days after such Determination, to require that such Appeal shall be re-heard by the Assistant Barrister for the County or Riding where such Person shall have been assessed, or in case he shall have been assessed in the County of *Dublin*, by the Chairman of the Sessions of the Peace of such County, or in case such Person shall have been assessed in the City of *Dublin*, by the Recorder of such City, or in case such Person shall have been assessed in the Borough of *Cork*, by the Recorder of such Borough; and where any such Appeal shall be so required to be re-heard, any Statement or Schedule in the Possession of the said Commissioners for special Purposes, returned to them for the Purpose of such Appeal, shall be transmitted by them to the Assistant Barrister, Chairman, or Recorder (as the Case may require); and such Assistant Barrister, Chairman, or Recorder shall with all convenient Speed re-hear and determine such Appeal, and shall take the Oath or Affirmation required to be taken by a Commissioner for special Purposes, and shall and may have and exercise the same Powers and Authorities in relation to the Assessment appealed against, and the Determination of the Matter thereof and in relation to all Matters consequent thereon, as any Two or more Commissioners for special Purposes might have and exercise, and his Determination thereon shall be final and conclusive.

Persons assessed aggrieved by Determination of Commissioners may require Appeal to be re-heard by an Assistant Barrister, &c.

XXIII. After the respective Times for hearing Appeals against such Assessments as aforesaid in *Ireland*, then as to all Assessments against which

After hearing Appeals in Ireland, Commis-

sioners to cause Duplicates of Assessments to be delivered to Collectors, with Warrants to collect the same.

which Appeals shall have been heard and determined, leaving any Sum assessed or charged by any such Assessment, and as to all Assessments against which no Appeal shall have been made, the Commissioners for special Purposes shall cause Duplicates thereof, together with Warrants under the Hands and Seals of Two of the said last-mentioned Commissioners, to be delivered to such Officers of Inland Revenue or other Persons as shall be named in such Warrants respectively, appointing such Persons to be Collectors of the Duties and Sums of Money assessed and charged in such Duplicates respectively, and requiring and empowering such Collectors respectively to collect, demand, levy, and recover all such Duties and Sums of Money.

Commissioners for special Purposes, Inspectors and Surveyors of Taxes, and other Officers to exercise the like Powers in executing this Act in Ireland as Commissioners, Inspectors, or Officers may exercise in similar Cases in England.

XXIV. The Commissioners for special Purposes acting in the Execution of this Act in *Ireland* in relation to the allowing or signing of any such Assessment as aforesaid, and to the hearing and determining of any Appeal against the same, and to the making and signing of any Duplicate thereof and any Warrant for collecting and levying the Duties and Sums of Money charged or assessed thereby, and also all Inspectors and Surveyors of Taxes, and other Officers of Inland Revenue acting in *Ireland* in relation to the making of any such Assessment or to the assessing or charging of any Person therein or thereby, and also all Persons named or appointed by the said Commissioners to be respectively Collectors of the said Duties and Sums of Money in relation to the collecting, levying, distraining for, or otherwise recovering of the same, shall respectively be, and are hereby invested with, and shall have, use, and exercise all such and the like Powers and Authorities as any Commissioners, either for general or special Purposes, or any additional Commissioners, and as any Inspectors, Surveyors, Collectors, or other Officers respectively have or are invested with, or can or may use or exercise in *England* in relation to the making or allowing of any Assessment of Duties under this Act, or to the assessing or charging of any Person to such Duties, or to the hearing or determining of any Appeal against any such Assessment, or to the collecting, levying, distraining for, or otherwise recovering of any such Duties, so far as such Powers and Authorities or any of them are applicable or may be adapted to the Performance of similar Acts, Matters, and Things in *Ireland*.

Unions, &c. in Ireland not to be responsible for Neglect or Default of Collectors.

XXV. Nothing herein contained shall be construed to make any Union, Electoral Division, or Place in *Ireland* in which any Assessment of any Duties granted under this Act shall be made, answerable for the Amount of Duties charged in such Place, nor for any Neglect or Default of the Collector in demanding or collecting same, nor shall any

any Re-assessment be made in *Ireland* upon any such Place for any Arrears or Loss occasioned by any such Neglect or Default.

Who to be Commissioners where there are not sufficient Officers in any Court or Department.

XXVI. Where in any Court or Department of Office there shall not be a sufficient Number of Officers proper to be appointed Commissioners for executing this Act in relation to the Duties on Offices and Employments of Profit in such Court or Department of Office, it shall be lawful for the Commissioners of Her Majesty's Treasury to direct that the Commissioners for any other Department shall execute this Act in relation to the Offices and Employments of Profit in any such Court or Department as aforesaid; and in default of a sufficient Number of Commissioners being appointed in any such Court or Department, and of such Direction as aforesaid, the Commissioners for general Purposes in their respective Districts in *England* and *Scotland* respectively, and the Commissioners for special Purposes in *Ireland*, shall respectively put this Act in execution in relation to the Duties on Offices and Employments in any such Court or Department as aforesaid; and wherever in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, any Power or Direction is given to the Commissioners for executing the said Act in relation to the Duties on Lands and Tenements to execute the same in their several Districts in relation to the Duties on Offices and Employments of Profit, every such Power and Direction shall, in relation to the Duties on Offices and Employments of Profit in *Ireland* under this Act, be executed and carried out by the Commissioners for special Purposes.

Powers of Commissioners for general Purposes as to Duties on Offices to be executed in Ireland by Commissioners for special Purposes.

Persons assessed under Schedule (D.) may compound.

XXVII. It shall be lawful for any Person who shall be duly assessed by the Commissioners for special Purposes for the Duties on the Profits and Gains described in Schedule (D.) of this Act, for the First Year for which the said Duties are by this Act granted, to compound for the charging of the Rate of Duty which shall from Time to Time be payable under this Act for each and every Year up to the Fifth Day of *April* One thousand eight hundred and fifty-seven, on the same Amount of such Profits and Gains in which he shall have been so assessed; and it shall also be lawful for any Person who shall be duly assessed as aforesaid for the Year commencing from the said last-mentioned Day in like Manner to compound for the charging of the Rate of Duty which shall then be payable for each and every remaining Year of the Period for which the said Duties are by this Act granted, on the same Amount of such Profits and Gains in which he shall have been so assessed as last aforesaid; and the Consideration for every such Composition shall be the Payment, in each and every Year of the said Composition, of an Addition to the said

said Duties at and after the Rate of One Shilling for every Twenty Shillings of the said Duties; and every such Composition shall be entered into and made with the Commissioners for special Purposes, under and subject to the Conditions, Rules, and Regulations (*mutatis mutandis*) contained in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, in relation to Compositions under the said last-mentioned Act, and the Contract for the same shall be in such Form as the Commissioners of Inland Revenue shall provide in that Behalf.

Exemption of Persons whose Income is under 100*l.*, and Abatement to those whose Income is under 150*l.* a Year respectively

XXVIII. The Exemption granted by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, to Persons whose respective Incomes are less than One hundred and fifty Pounds a Year shall be limited and restricted under this Act to Persons whose whole Incomes from every Source are less than One hundred Pounds a Year respectively: Provided always, that any Person who shall be assessed or charged to any of the Duties granted by this Act, or shall have paid the same either by Deduction or otherwise, and who shall claim and prove, in the Manner prescribed by the said Act, that his total Income from every Source, although amounting to One hundred Pounds or upwards, is less than One hundred and fifty Pounds a Year for the Year of the Assessment of his Profits or Gains, shall be entitled to be relieved from so much of the said Duties assessed upon or paid by him as shall exceed the Rate of Fivepence for every Twenty Shillings of his Profits or Gains, and such Relief shall be given either by Reduction or Abatement of the Assessment upon such Person, or by the Repayment to him of so much of the said Excess as he shall have paid, or by both of those Means, as the Case may require; and in *Ireland* the Income arising from the Occupation of Lands, Tenements, or Hereditaments, by any Person claiming such Exemption or Relief as aforesaid, shall be deemed to be One Third of the annual Value on which the same shall be chargeable under Schedule (B.) of this Act; and all the Provisions, Rules, and Regulations contained in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, in relation to the Exemption of Persons whose Incomes are less than One hundred and fifty Pounds a Year, and to the Reduction or Abatement of any Assessment upon such Persons, or to the Repayment to them of any Duties or Sums of Money, shall be observed and applied, so far as the same are applicable (*mutatis mutandis*), to the Exemption of Persons whose Incomes are less than One hundred Pounds a Year, and to the Claims for Relief in the Manner aforesaid to Persons whose Incomes are less than One hundred and fifty Pounds a Year.

XXIX. Pro-

XXIX. Provided always, That in computing the Income of any Person for the Purposes of this Act, such Computation, so far as regards any Rent derived from Tenements or Hereditaments in *Ireland* chargeable under Schedule (A.), shall be made after allowing for the Amount of Poor Rates chargeable on such Rent by way of Deduction or otherwise.

In computing Income from Rent in Ireland Poor Rates to be deducted.

XXX. Where, on any Application for Relief or Abatement of Assessment in pursuance of the Provisions contained respectively in Section One hundred and thirty-three and Section One hundred and thirty-four of the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, and in the Third Section of an Act of the Fourteenth Year of Her Majesty's Reign, Chapter Twelve, it shall be proved to the Satisfaction of the Commissioners to whom such Application shall be made that the total Amount of the Income from every Source of the Person claiming such Relief or Abatement for the Year for which such Assessment was made was under One hundred Pounds, such Person shall be entitled to the same Relief and Repayment respectively as by this Act and the said first-mentioned Act is provided in the Case of Persons claiming Relief on the Ground of their respective annual Incomes being less than One hundred Pounds a Year.

Persons claiming Abatement of Assessment, and proving their Incomes to be under 100*l.* a Year, to be entitled to the same Relief as if they had claimed Exemption on the Ground of their Incomes being under that Amount.

XXXI. In *Ireland* all Claims of Exemption by reason of the Income of any Person being under One hundred Pounds a Year, and all Claims for Relief or Reduction of Assessment on the Ground of such Income being under One hundred and fifty Pounds a Year, and all Claims for Return or Repayment of any Duties on either of the Grounds aforesaid, or under any other of the Provisions of this Act or of the Acts herein mentioned or referred to, shall be made in such Manner and Form as the Commissioners of Inland Revenue shall direct and provide in that Behalf; and all such Claims shall be made to and shall be adjudicated and finally determined by the Commissioners for special Purposes, or any Two of them; provided that there shall be a like Appeal as regards Claims for Exemptions in *Ireland* to the Assistant Barrister, Chairman, or Recorder (as the Case may require) as is herein-before contained in reference to Persons charged by an Assessment and feeling aggrieved thereby.

Claims of Exemption or for Reduction of Assessment or Repayment of Duty in Ireland to be made to the Commissioners for special Purposes.

XXXII. In assessing and charging the Duties under Schedule (A.) of this Act in respect of Lands, Tenements, or Hereditaments subject to any Rentcharge under the Act for the Commutation of Tithes in *England*, or any other Rentcharge in lieu of Tithe, it shall be

The Duties in respect of Tithe Commutation Rentcharges may be as-

ssessed on the Owners.

be lawful for the Commissioners acting in the Execution of this Act, if they shall think fit, on a due Return of such Rentcharge being made by the Owner thereof in order to an Assessment upon him, to charge and assess such Owner in the Assessment for the said Parish with the Duty under Schedule (A.) of this Act in respect of such Rentcharge, deducting therefrom the Amount of the Parochial Rates, Taxes, and Assessments charged upon or in respect of such Rentcharge in the preceding Year; and in the Case of such Assessment being made upon the Owner of the said Rentcharge, the Amount of such Rentcharge shall be allowed as a Deduction in the Assessment of the Lands, Tenements, and Hereditaments on which the same is charged under the said Act for the Commutation of Tithes.

Allowances to be made in respect of certain Burdens on Tithe Rentcharges in Ireland.

XXXIII. And whereas Tithe Rentcharge belonging to or held by Ecclesiastical Persons or Bodies in *Ireland* is liable, in many Cases, to heavy Charges in respect of the Tax payable to the Ecclesiastical Commissioners for *Ireland*, Poor Rates, the Repayment of Instalments for the building or repairing of Glebe Houses, or other Charges: And whereas the Deductions in respect of Income Tax under the Provisions of this Act or the before-recited Act of the Fifth and Sixth Years of Her Majesty's Reign, Chapter Thirty-five, made by any Person paying Tithe Rentcharge to any Ecclesiastical Person or Body entitled to receive the same, would, under the Provisions of this and the said Act, be the Income Tax upon the gross Amount of such Rentcharge; and it is expedient and just that such Ecclesiastical Persons or Bodies should have the Benefit of the Allowances herein-after mentioned out of such gross Income, and of a proportionate Remission of Income Tax: It shall be lawful for any Ecclesiastical Person or Body to make Application to the Commissioners for special Purposes, setting forth the Deductions or Charges to which his Income has been subjected during the preceding Year in respect of the Ecclesiastical Tax aforesaid, Poor Rates, and the other Charges and Matters of the like Nature and Description as those in respect of which the Ecclesiastical Commissioners are directed to make Allowances or Deductions in estimating the Value of a Benefice or other Ecclesiastical Property, with a view to its Taxation, under the Provisions of an Act passed in the Third and Fourth Years of King *William* the Fourth, Chapter Thirty-seven; and such Person or Body, on Proof to the Satisfaction of the Commissioners for special Purposes that the Income of such Ecclesiastical Person or Body has been actually subjected to such Charges or Deductions, shall be entitled to have repaid to him by the Commissioners of Inland Revenue the Difference between the Amount of Income Tax calculated on the gross Income of such Ecclesiastical Person or Body and the Amount

Amount to which such Person or Body would have been liable supposing the Income Tax to have been assessed upon his Income after deducting such Charges as aforesaid.

As to Deductions for the Repairs of Collegiate Churches and Chapels, Chancels, &c.

XXXIV. Provided also, That the Deduction allowed under Schedule (A.), No. V., of the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, for the Repairs of Collegiate Churches and Chapels and Chancels of Churches, or of any College or Hall in any of the Universities, by any Ecclesiastical or Collegiate Body, Rector, Vicar, or other Person bound to repair the same, shall, in respect of the Duties under Schedule (A.) of this Act, be the Amount of the Sum so expended in the Year preceding that in which the Assessment is made, instead of an Average of Twenty-one Years, as in the said Schedule (A.), No. V., is mentioned.

Tenants of Lands who are called upon to pay Arrears due from former Occupiers may deduct the Amount from their Rent.

XXXV. Where any Occupier for the Time being of any Lands, Tenements, or Hereditaments, being Tenant thereof, shall be called upon and required to pay, and shall have paid, any Sum or Sums assessed upon or in respect of such Lands, Tenements, or Hereditaments under the said Schedule (A.) of this Act, and which said Sum or Sums, or any Portion thereof, ought, under the Rules for charging the Duties under the said Schedule, to have been paid or to be paid by any former Tenant or Occupier of the same Lands, Tenements, or Hereditaments, or his Executors or Administrators, it shall be lawful for the said Occupier for the Time being to deduct and retain, from and out of any subsequent Payment of Rent to his Landlord, the said Sum or Sums of Money, or any Portion thereof, which ought to have been or to be paid by such former Tenant or Occupier, or his Executors or Administrators as aforesaid: Provided that nothing in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, or in this Act contained shall extend to authorize the levying upon any such Occupier for the Time being any Arrear of Duty assessed under Schedule (A.) or Schedule (B.) of this Act which ought to have been levied upon and ultimately paid and borne by any former Occupier of the same Lands, Tenements, or Hereditaments; and provided also, that nothing herein contained shall be deemed or construed to alter, prejudice, or affect any Remedy given by the said Rules for the recovering and levying of any such Sum or Sums, or any Portion thereof, from or upon such former Tenant or Occupier, or his Executors or Administrators.

Houses let in several Tenements to be charged

XXXVI. Any House or Building let in different Apartments or Tenements, and occupied by Two or more Persons severally, shall nevertheless

on Landlords.

nevertheless be charged to the Duty under this Act as One entire House or Tenement, and the Assessment thereof shall be made on the Landlord; but in default of Payment by him the Duty so charged and assessed may be levied on the Occupier or Occupiers respectively, and being paid by them or One of them shall be deducted and allowed out of the next or any subsequent Payment on account of Rent.

Deduction to be allowed under Schedule (A.) for the Expenses of making and repairing Sea Walls and Embankments.

XXXVII. In charging the Duty under Schedule (A.) of this Act in respect of Lands, an Allowance and Deduction shall be made for the Amount expended by the Landlord or Owner thereof on an Average of the Twenty-one preceding Years in the making or repairing of Sea Walls or other Embankments necessary for the Preservation or Protection of such Lands against the Encroachment or overflowing of the Sea or any Tidal River, although the Sums expended may not have been charged on such Lands by any public Rate or Assessment.

Duties on Tolls called Customs levied in Burghs in Scotland and expended for Public Purposes to be repaid.

XXXVIII. Where in any Burgh in *Scotland* Tolls commonly known by the Name of Customs are levied under the Authority of any Act of Parliament or Charter, and are applied and expended in such Burgh in or towards defraying the Expenses of paving, lighting, or cleansing the same, or of the Police thereof, or in or towards discharging any other similar public Burdens, the Duty which may have been assessed and paid under this Act upon or in respect of such Tolls shall, so far as regards so much of the said Tolls as shall have been so expended as aforesaid, on due Proof of all the necessary Facts to the Satisfaction of the Commissioners for special Purposes, be allowed and repaid under an Order of the said Commissioners, in like Manner as in other Cases where Duties are allowed and repaid under the Provisions in that Behalf contained in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five.

Hop Grounds to be charged under Schedule (B.) as other Lands.

XXXIX. Provided also, That notwithstanding anything in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, contained, all Lands occupied for the Growth of Hops shall be charged to the Duties under Schedule (B.) of this Act according to the general Rules contained in Schedule (B.) of the said first-mentioned Act, and not by estimating the Profits of such Lands according to the Rules contained in Schedule (D.) of the said Act.

Deductions of Duty on Payment of Rent, Interest, &c.

XL. Every Person who shall be liable to the Payment of any Rent, or any yearly Interest of Money, or any Annuity or other annual Payment, either as a Charge on any Property or as a personal Debt or Obligation by virtue of any Contract, whether the same shall be

be received or payable half-yearly or at any shorter or more distant Periods, shall be entitled and is hereby authorized, on making such Payment, to deduct and retain thereout the Amount of the Rate of Duty which at the Time when such Payment becomes due shall be payable under this Act, that is to say, Sevenpence, Sixpence, or Fivepence, as the Case may be, for every Twenty Shillings of such Payment; and the Person liable to such Payment shall be acquitted and discharged of so much Money as such Deduction shall amount unto, as if the Amount thereof had actually been paid unto the Person to whom such Payment shall have been due and payable; and the Person to whom such Payment as aforesaid is to be made shall allow such Deduction, upon the Receipt of the Residue of such Money, under pain of forfeiting the Sum of Fifty Pounds for any Refusal so to do: Provided always, that no Tenant or Occupier of any Property chargeable under Schedule (A.) of this Act shall be entitled to deduct or retain out of the Rent thereof any greater Sum than the Amount of the Duty which shall have been assessed and charged upon or in respect of such Property, and actually paid by such Tenant or Occupier.

Deductions to be made from the net Payment after allowing for Poor Rate in Ireland.

XLI. Provided always, That whenever any Person liable to the said Duties chargeable in *Ireland* under the said Schedule (A.) shall be entitled to retain a proportionate Amount of such Duties from any annual Payment from which he is now by Law entitled to deduct any Sum on account of Poor Rates, he shall be entitled to retain such proportionate Amount only upon the net Sum payable by him after the Allowance for Poor Rates.

Deduction of Duty to be allowed on Payment of Rent-charges under the Drainage Advances Acts.

XLII. And whereas under certain Acts of Parliament Advances of Public Money to promote the Improvement of Lands have been made by way of Loan, and in *Ireland* under an Act passed in the Tenth Year of Her Majesty, Chapter Ten, and any Acts amending the same, and under an Act passed in the Fifth and Sixth Years of Her Majesty, Chapter Eighty-nine, for River Drainage, and any Acts amending the same, and the Repayment thereof has been secured by a Rentcharge upon such Lands to be paid for a Term limited by the said Acts respectively, and by which the Principal Sums advanced will eventually be repaid with Interest thereon, and it is just that Provision should be made for deducting and allowing the Duty charged by this Act in proportion to such Interest on the Payment of such Rentcharge: It shall be lawful for any Person paying any such Rentcharge from Time to Time to deduct and retain thereout in respect of the Duty chargeable under this Act One Third Part of the Sum which the Rate of such Duty computed on such Rentcharge will

amount to and no more, and the Collectors and Receivers of such Rentcharges are hereby required to allow such Deduction upon Receipt of the Residue of such Rentcharge then due.

No Action of Ejectment in Ireland to be defeated on Ground of Deductions reducing the Amount due under a Year's Rent.

XLIII. No Action of Ejectment for Nonpayment of Rent in *Ireland* shall be defeated on the Ground that the Person liable to pay such Rent is entitled, under the Provisions of this Act or any Act incorporated therewith, to a Deduction which would reduce the Amount due by him under a Year's Rent.

Occupiers of Lands, &c. having made true Returns of their annual Value not required to make further Returns for subsequent Years.

XLIV. The Occupiers of Lands, Tenements, and Hereditaments who shall make true and correct Statements and Returns, as required by the said Acts, of the annual Value of all such Lands, Tenements, and Hereditaments in their respective Occupations, in order to an Assessment of the Duties chargeable thereon, under the respective Schedules (A.) and (B.) of this Act, for the Year commencing from the Fifth Day of *April* One thousand eight hundred and fifty-three, shall not (unless they shall appeal against the Continuance of the same Assessment for any subsequent Year) be required to make any further Statements or Returns of such annual Value in respect of the same Premises until the Year One thousand eight hundred and fifty-seven; and in like Manner such Occupiers as aforesaid who shall make true and correct Statements and Returns in order to an Assessment of the said Duties for the Year commencing from the Fifth Day of *April* One thousand eight hundred and fifty-seven shall not (unless they shall appeal against the Continuance of such last-mentioned Assessment) be required to make any further Statements or Returns in respect of the same Premises for any subsequent Year of the Period for which the said Duties are by this Act granted.

Assessments under Schedules (A.) and (B.) to be continued in force for subsequent Years.

XLV. The Assessments to be made for the Year commencing from the Fifth Day of *April* One thousand eight hundred and fifty-three of the Duties chargeable under the respective Schedules (A.) and (B.) of this Act shall be and remain in force, and the several Sums charged and assessed therein shall be collected and levied also, for the Second Year for which the same Duties are by this Act granted, without altering the Names of the Parties charged, notwithstanding any Change in the Occupation of the Premises in respect of which any such Assessment may be made; and the same Assessments reduced and abated in proportion to the reduced Duties which will then be chargeable under this Act shall in like Manner be collected and levied for the Third and Fourth Years respectively; and in like Manner also the Assessments to be made of the said Duties

Duties for the Year commencing from the Fifth Day of *April* One thousand eight hundred and fifty-seven shall be and remain in force, and the several Sums charged and assessed therein for the said last-mentioned Year shall also be collected and levied, for each and every remaining Year of the Period for which the said Duties are by this Act granted: Provided always, that the Continuance of any such Assessment for the Second or any subsequent Year shall be subject to the Conditions, Rules, and Regulations in that Behalf contained in Section Eighty-seven of the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, in relation to the Continuance of Assessments made under that Act.

Relief granted by 13 & 14 Vict. c. 12. s. 3. to Persons occupying Lands for the Purposes of Husbandry, extended in the Case of Tenant Farmers.

XLVI. The Relief granted by the Third Section of the said Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Twelve, to Persons occupying Lands for the Purposes of Husbandry only, and obtaining their Livelihood principally from Husbandry, shall be extended and granted to every Person occupying Lands as Tenant thereof for the Purposes of Husbandry only, although he may not obtain his Livelihood principally from Husbandry, as well as to every Person occupying Lands for the Purposes aforesaid, being the Owner thereof, and obtaining his Livelihood principally as aforesaid.

Appellants may require Commissioners to appoint a Valuer to value Lands.

XLVII. Whereas by the Eighty-first Section of the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, if upon Appeal any Dispute shall arise touching the annual Value of any Lands, Tenements, or Hereditaments, the Commissioners are authorized, if they deem it necessary, to direct that a Valuation thereof shall be taken and made by a Person of Skill to be named by the said Commissioners: It shall be lawful for the Appellant, as well as the said Commissioners, upon any such Appeal, to require that such Valuation as aforesaid shall be made, and the said Commissioners, on being required so to do by the Appellant, as well as in Cases where they may deem it necessary, shall name a Person of Skill to make such Valuation; and upon such Valuation being verified on the Oath of the Person making the same, the Assessment shall be made according thereto.

Duty on Professions to be charged on an Average of the Profits of Three Years.

XLVIII. The Duty to be charged under Schedule (D.) in respect of Professions, Employments, or Vocations not contained in any other Schedule of this Act shall be computed on a Sum not less than the full Amount of the Balance of the Profits, Gains, and Emoluments of such Professions, Employments, or Vocations upon a fair and just Average of Three Years, instead of the Amount of such Profits, Gains, and Emoluments within the preceding Year, as directed by the

the Rules of Schedule (D.) in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, but subject in all other respects to the said last-mentioned Rules.

Friendly Societies legally established entitled to Exemption under both Schedule (C.) and Schedule (D.)

XLIX. Any Friendly Society legally established under any Act of Parliament relating to Friendly Societies, and which does not assure or grant to any Individual any Sum or Annuity to an Amount which would debar such Society from the Benefit of the Exemption granted to Friendly Societies by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, in respect of their Stocks, Dividends, and Interest chargeable under Schedule (C.) of the said Act, shall be entitled to Exemption under this Act, as well in respect of all their Interest and other Profits and Gains chargeable under Schedule (D.) as in respect of their Stocks, Dividends, and Interest chargeable under Schedule (C.) of this Act.

In estimating Profits under Schedule (D.) doubtful Debts to be valued.

L. In ascertaining, estimating, or assessing the Profits of any Person chargeable under Schedule (D.) of this Act, either upon Appeal or otherwise, it shall be lawful to estimate the Value of all doubtful Debts due or owing to such Person; and in the Case of the Bankruptcy or Insolvency of the Debtor, the Amount of the Dividend which may reasonably be expected to be received on any such Debt shall be deemed to be the Value thereof, and the Duty chargeable under the said Schedule shall be assessed and charged upon the estimated Value of all such doubtful Debts accordingly.

Expenses necessarily incurred in the Performance of the Duties of a public Office to be deducted from the Amount of Salary, &c. to be assessed.

LI. In assessing the Duty chargeable under Schedule (E.) of this Act in respect of any public Office or Employment where the Person exercising the same is necessarily obliged to incur and defray out of the Salary, Fees, or Emoluments of such Office or Employment the Expenses of travelling in the Performance of the Duties thereof, or of keeping and maintaining a Horse to enable him to perform the same, or otherwise to lay out and expend Money wholly, exclusively, and necessarily in the Performance of the Duties of his Office or Employment, it shall be lawful to deduct from the Amount of the said Salary, Fees, and Emoluments to be assessed under this Act the Amount of all such Expenses and Disbursements necessarily incurred and defrayed in manner aforesaid.

Abatement of Duty to be made to Clergymen for Expenses incurred in Performance of their Duties.

LII. In assessing the Duty chargeable under any Schedule of this Act upon any Clergyman or Minister of any Religious Denomination in respect of any Profits, Fees, or Emoluments of his Profession or Vocation, it shall be lawful to deduct from such Profits, Fees, or Emoluments any Sum or Sums of Money paid or Expenses incurred by

by him wholly, exclusively, and necessarily in the Performance of his Duty or Function as such Clergyman or Minister; and if such Sum or Sums or Expenses shall not have been deducted as aforesaid, then a proportionate Part of the Duty charged and paid by such Clergyman or Minister shall, on due Proof to the Commissioners of such Sum or Sums having been expended as aforesaid, be repaid to such Clergyman or Minister.

Public Officers becoming entitled to increased Salaries, &c. to be charged for the same by supplemental Assessment.

LIII. Where any Person who shall hold or exercise any public Office or Employment of Profit shall at any Time or Times during or for or in respect of any Year of Assessment become entitled to any additional Salary, Fees, or Emoluments beyond the Amount for which any Assessment may have been made upon him, or beyond the Amount for which at the Commencement of such Year he may have been liable to be assessed, an additional or supplemental Assessment shall from Time to Time, as often as the Case shall require, be made upon such Person for such additional Salary, Fees, or Emoluments, so that he shall be assessed and charged for the full Amount of the whole of the Salary, Fees, and Emoluments which he shall receive or become entitled to at any Time, and from Time to Time during or for or in respect of the said Year of Assessment.

Persons who have made Insurance or contracted for a Deferred Annuity on the Lives of themselves or Wives to be allowed an Abatement of Duty in respect of the annual Premiums made.

LIV. Any Person who shall have made Insurance on his Life or on the Life of his Wife, or shall have contracted for any Deferred Annuity on his own Life or on the Life of his Wife, in or with any Insurance Company which shall become registered under any Act to be passed in the present Session of Parliament for that Purpose, and which shall comply with the Requirements of such Act, and any Person who shall under any Act of Parliament be liable to the Payment of an annual Sum, or to have an annual Sum deducted from his Salary or Stipend, in order to secure a Deferred Annuity to his Widow or a Provision to his Children after his Death, shall be entitled to deduct the Amount of the annual Premium paid by him for such Insurance or Contract, or the annual Sum paid by him or deducted from his Salary or Stipend as aforesaid, from any Profits or Gains in respect of which he shall be liable to be assessed under either of the Schedules (D.) or (E.) of this Act, or to have any Assessment which may be made upon him under either of the said Schedules reduced or abated by the Deduction of the Amount of the said annual Premium from the Amount of the Profits or Gains on which such Assessment has been made; or if such Person shall be assessed to Duties under any of the Schedules contained in this Act, and shall have paid such Assessment, or shall have paid or been charged with any of the said Duties by Deduction

 or

or otherwise, such Person, on Claim made to the Commissioners for special Purposes, and on Production to them of the Receipt for such annual Payment, and on Proof of the Facts to the Satisfaction of the said Commissioners, shall be entitled to have repaid to him such Proportion of the said Duties paid by such Person as the Amount of the said annual Premium bears to the whole Amount of his Profits and Gains on which he shall be chargeable under all or any of the Schedules of this Act: Provided always, that no such Abatement, Allowance, or Repayment as aforesaid shall be made in respect of any such annual Premium beyond One Sixth Part of the whole Amount of the Profits and Gains of such Person so chargeable as aforesaid, nor shall any such Deduction or Abatement entitle any such Person to claim total Exemption or any Relief from Duty on the Ground of his Profits and Gains being thereby reduced below One hundred or One hundred and fifty Pounds, as the Case may be.

Persons who have removed before appealing may be allowed to appeal to the Commissioners of the District to which they have removed.

LV. Where any Person assessed or charged to any of the Duties under this Act shall have removed from the District within which the Assessment or Charge upon him was made without having appealed against such Assessment or Charge in such District, it shall be lawful for the Commissioners of Inland Revenue, if they shall think fit, on the Application of such Person, to authorize and empower the Commissioners of the District to which such Person shall have removed as aforesaid to hear and determine his Appeal against such Assessment or Charge, and in every such Case the said last-mentioned Commissioners shall have full Power and Authority and they are hereby required to hear and determine such Appeal accordingly, and any Sum or Sums from which such Person may not be relieved on such Appeal shall be recovered and levied in the same Manner as if such Appeal had been heard and determined by the Commissioners of the District in which such Assessment or Charge was made.

Penalty for inducing Persons to make false Returns of Profits or of the Value of Lands.

LVI. If any Person shall knowingly and wilfully aid, abet, or assist, or incite or induce, any other Person to make or deliver any false or fraudulent Account, Statement, or Declaration of or concerning any Profits or Gains chargeable under this Act, or of the yearly Rent or Value of any Lands, Tenements, or Hereditaments, or of any Matters or Things affecting such Rent or Value, such Person so offending shall for every such Offence forfeit the Sum of Fifty Pounds.

Allowances to Clerks to Commissioners.

LVII. In lieu of the Allowances by the said Act of the Fifth and Sixth Years of Her present Majesty directed to be granted to the Clerk of the respective Commissioners for the due Performance of the Duties of his Office, there shall be granted the following Allowances

ances respectively; (that is to say,) the Clerk of the respective Commissioners who shall duly perform the Duties of his Office within the respective Times limited by Law in that Behalf, and shall have borne and sustained the incidental Expenses mentioned in the said Act, shall, by Warrant under the Hands of the said Commissioners, have and receive from the respective Officers for Receipt Twopence in the Pound on the net Amount of the Sums assessed and charged in the Duplicates of Assessment, after all Appeals heard and determined, and all just Reductions, Abatements, and Discharges made from such Assessments and Duplicates respectively; and the Clerk who shall not have borne and sustained such incidental Expenses shall by like Warrant have and receive One Penny in the Pound of such net Amount of the Sums assessed and charged as aforesaid, after all such Reductions, Abatements, and Discharges as aforesaid, provided he shall have duly performed the Duties of his Office in the Manner mentioned in the said Act, and not otherwise: Provided always, that it shall be lawful for the Commissioners of Her Majesty's Treasury to cause such further Allowance to be made to such Clerk as aforesaid who shall have faithfully performed his Duty under this Act, and shall have borne and sustained such incidental Expenses as aforesaid, of any Sum not exceeding One Penny in the Pound on the Amount of such Part of the gross Assessment as shall have been discharged on Occasion of Claims for Exemption or Abatement made or allowed under this Act on the Ground of Income being below One hundred and fifty Pounds and One hundred Pounds a Year respectively, as the said last-mentioned Commissioners shall, on Consideration of the Extent and Population of the District and the Number of such Claims, think proper to direct; and the Certificate of the Commissioners of Inland Revenue shall be an Authority to the Officers for Receipt respectively to pay such further Allowance.

Collectors in Ireland to have such Poundage or other Remuneration as the Treasury may order.

LVIII. The several Collectors of the Duties granted by this Act in *Ireland* shall have and receive such Rate of Poundage on the Money of the said Duties which they shall respectively collect and pay to the proper Officer for Receipt, or such other reasonable Remuneration for their Service, Pains, and Labour respectively in executing this Act, as the Commissioners of Her Majesty's Treasury shall by any Warrant from Time to Time order and direct in that Behalf.

Commencement and Continuance of the Act.

LIX. This Act shall commence and take effect from and after the Fifth Day of *April* One thousand eight hundred and fifty-three, and together with the Duties therein contained shall continue in force until the Sixth Day of *April* One thousand eight hundred and sixty, and no longer: Provided always, that this Act and the said

Duties

Duties shall not then cease with respect to any Assessment which ought to have been made before the said last-mentioned Day, but which shall not then have been made and completed, nor with respect to any of the said Duties which shall have been assessed and shall then remain unpaid, nor with respect to any Penalty before then incurred, nor with respect to any Deduction of the said Duties or any Portion thereof authorized by Law to be made out of any Rent, Interest, or other annual Payment which shall become due or payable before the said last-mentioned Day, nor with respect to any Penalty for refusing to allow any such Deduction, although such Refusal may be after the said last-mentioned Day, nor shall the said Duties cease in any Case where the Assessments for the preceding Year shall not have been completed before the said Sixth Day of *April* One thousand eight hundred and sixty, but all the Powers and Provisions of this Act shall continue in force for making and completing all such Assessments as aforesaid, and for levying and recovering the Duties so assessed or to be assessed, and all Arrears of such Duties, and also for re-assessing the same in default of Payment in the Manner herein directed, and for making and allowing such Deduction as aforesaid, and for the suing for, adjudging, and recovering any Penalty which shall have been or may be incurred.

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or of other Arrangements for the Discharge of Episcopal Duties: And whereas it is expedient that the Suggestion and Adoption of the Measures contemplated by the said Commission should not be interfered with by reason of Interests becoming vested under such Appointments as herein-after mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Persons appointed to Preferments, &c. in Cathedral or Collegiate Churches upon Vacancies happening between 3d March 1853 and 1st Jan. 1855 not entitled to Compensation in case of Abolition, &c.

I. Every Person who may be appointed to any Preferment or Office in or connected with any Cathedral or Collegiate Church in *England* or *Wales* upon any Vacancy which has happened since the Third Day of *March* One thousand eight hundred and fifty-three, or which may happen before the First Day of *January* One thousand eight hundred and fifty-five, shall be deemed to have taken and shall hold such Preferment or Office subject to such Regulations affecting the same as may hereafter be made by Authority of Parliament, or by any lawful Authority by which in case such Vacancy had continued such Preferment or Office might have been regulated; and no such Person shall by reason of such Appointment be deemed to have acquired any Title or Claim to Compensation in case such Preferment or Office be hereafter regulated or altered.

To what Dignities, &c. this Act to extend.

II. This Act shall extend to every Nomination, Collation, Presentation, Election, Donation, and other Appointment whatsoever made or to be made (upon any such Vacancy as aforesaid) to any Deanery, or to any Canonry or other Dignity or Office in or connected with the Chapter of any Cathedral or Collegiate Church in *England* or *Wales*, or to any Office, Preferment, or Employment in any minor Corporation in any such Cathedral or Collegiate Church, or to any other Office or Employment in any such Cathedral or Collegiate Church, or to any Benefice (with or without Cure of Souls) in the Patronage or Gift of any such Dean, Chapter, or minor Corporation, or of any Member of any such Chapter or minor Corporation, to which any Dean, Canon, or other Officer in any Cathedral or Collegiate Church may be presented, or to any Office or Employment in the Patronage or Gift of any such Dean, Chapter, or minor Corporation, or of any Member of any such Chapter or minor Corporation, or to any Mastership, Wardenship, or other Office or Employment in or connected with any School, Hospital, or eleemosinary Foundation in the Gift of any such Dean, Chapter, or minor Corporation, or of any Member of any such Chapter or minor Corporation; and this Act shall also extend to any Appropriation made or to be made upon or in consequence of any Vacancy after the said Third Day of *March* One thousand eight hundred and fifty-three of any Residentiary House to any Canon or other Person.

III. Pro-

III. Provided always, That nothing in the Act shall affect the Rights of the Reverend *Robert Hussey*, Bachelor of Divinity, Regius Professor of Ecclesiastical History in the University of *Oxford*, to and in respect of the Canonry in the Cathedral Church of *Christ* in *Oxford* annexed to his Professorship by the Act of the Session holden in the Third and Fourth Years of Her Majesty, Chapter One hundred and thirteen, and to which, under such Act and the Mandamus of Her Majesty in pursuance thereof, he is entitled to succeed on the next Vacancy of such Canonry, or the Rights of any other Person to or in respect of any Preferment or Office to which, on or before the Third Day of *March* One thousand eight hundred and fifty-three, he was by Law entitled to succeed on the then next Vacancy thereof: Provided also, that nothing herein contained shall affect the Rights of the Reverend *William Hepworth Thompson*, Fellow of *Trinity College*, *Cambridge*, Regius Professor of Greek elect in the University of *Cambridge*, to or in respect of the Canonry in the Cathedral Church of *Ely* annexed to his Professorship by the Act of the Session holden in the Third and Fourth Years of Her Majesty, Chapter One hundred and thirteen.

Saving of the Rights of the present Regius Professor of Ecclesiastical History in Oxford in the Canonry annexed to his Professorship, and others.

IV. And whereas by an Order in Council approving a Scheme of the Ecclesiastical Commissioners, and bearing Date the Eighteenth Day of *August* One thousand eight hundred and fifty-two, the Real Estates of the Dean and Chapter of *York* in the Schedule to the said Order described, and certain Personal Estate in the said Order described or referred to, were transferred to the said Ecclesiastical Commissioners in consideration of a fixed permanent Annuity of Four thousand four hundred and ten Pounds, to be paid by the said Commissioners to the said Dean and Chapter and their Successors; and it was by the said Scheme and Order provided, that none of the Monies or Estates to be received or acquired under the Provisions of the said Scheme should be applicable to the Purposes of the Common Fund of the said Commissioners, except only so far as it might be necessary to reimburse such Fund any Advances made thereout under the Provisions of the said Scheme, until or unless, by and under the like Authority, the said Dean and Chapter should have been put into possession in Fee Simple of Real Estates sufficient to secure to them the above-mentioned Income, clear of all Charges and Outgoings, as therein mentioned: And whereas by an Order in Council approving a Scheme of the said Ecclesiastical Commissioners, and bearing Date the Tenth Day of *November* One thousand eight hundred and fifty-two, divers Manors, Lands, Tithes, Tenements, and Hereditaments, and also certain Sums of Stock or Cash belonging to the Dean and Chapter of *Carlisle*, in the said Scheme and Order referred to, and more particularly described in

Transfers of Estates, &c. of the Chapters of York and Carlisle, appointed by Orders in Council dated 18th August 1852 and 10th Nov. 1852, not to take effect till 1st January 1855.

in certain Schedules thereto annexed, were transferred to the said Ecclesiastical Commissioners in consideration, amongst other Considerations, of a permanent Annuity of Five thousand nine hundred Pounds, to be paid by the said Commissioners to the said Dean and Chapter and their Successors; and it was by the said last-mentioned Scheme and Order provided that none of the Monies or Estates to be received or acquired under the Provisions thereof should be applicable to the Purposes of the said Common Fund, except only so far as it might be necessary to reimburse such Fund any Advances made thereout under the Provisions of the said Scheme, until or unless by and under the like Authority the said Dean and Chapter should have been put into Possession in Fee Simple of Real Estates within the Counties of *Cumberland*, *Westmoreland*, or *Northumberland*, any or either of them, sufficient to secure to the said Dean and Chapter a clear annual Income (after deducting Rates, Taxes, and other Outgoings, including Costs of Management,) of Five thousand nine hundred Pounds, or such other Sum as at the Date of such Transfer should, by the Decision of Arbitrators to be appointed in the usual Way, be equivalent to the Sum of Five thousand nine hundred Pounds at the then present Time, subject however as well to the Charges and Outgoings mentioned in the Schedule to the said Order marked C. as to all other Capitular Liabilities: And whereas it is expedient that none of the said Monies or Estates transferred by the said respective Orders or either of them, except as aforesaid, should be applicable to the Purposes of the said Common Fund until the said Commissioners acting under the said Commission of the Tenth Day of *November* One thousand eight hundred and fifty-two should have had sufficient Time to report their Opinion on the Matters referred to them: Be it therefore enacted, That, notwithstanding anything in the said Orders in Council contained, none of the said Monies or Estates so transferred as aforesaid, nor any Monies or Estates accruing from similar Commutations with any other Chapters, shall, except as in the said Orders and herein-before is respectively excepted, be applied to the Purposes of the said Common Fund by the said Ecclesiastical Commissioners previous to the First Day of *January* which will be in the Year of our Lord One thousand eight hundred and fifty-five.

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CAP XXXVI.

An Act for disafforesting the Forest of *Whichwood*.

[8th *July* 1853.]

WHEREAS the Queen's most Excellent Majesty in right of Her Crown is seised to Herself, Her Heirs and Successors, of and in *Whichwood Forest* in the County of *Oxford*, and of and in the Soil thereof, and the Timber and other Trees, Bushes, and Underwood standing and growing thereon: And whereas the said Forest, together with certain detached Lands appendant or appurtenant thereto and herein-after more particularly mentioned, is computed to contain in the whole Three thousand seven hundred and thirty-five Acres or thereabouts, of which One thousand eight hundred and forty-one Acres or thereabouts are used as Coppice Land, and planted with Coppices, and One thousand seven hundred and forty-one Acres or thereabouts consist of open Ridings, Plains, Woods, and Waste Lands, One hundred and twenty-seven Acres Two Roods and Ten Perches or thereabouts consist of Two principal Lodges called the *Ranger's Lodge* and *South Lawn Lodge*, and Three inferior Lodges for Keepers, with the Lawns and other Lands inclosed therewith, and the remaining Part of the said Forest consists of certain detached Lands situate at *Shipton Ascot* and *Shorthampton*, containing in the whole Twenty-five Acres Two Roods and Thirty-seven Perches or thereabouts: And whereas there are adjacent

 or

or near to the said Forest several Coppices and other Lands known as Purlieus thereof: And whereas Her Majesty claims to be entitled to the Forestal Right of Herbage and Feed for Her Deer, as well over the said Purlieus as over the said Forest; but the Owners of the said Purlieus allege the same to be free under the Provisions of various Acts of Parliament, and especially of an Act passed in the Sixteenth Year of King *Charles* the First, Chapter Sixteen: And whereas the said Owners claim to be entitled to Allowances of Venison in return for the Deer Feed over the said Purlieus or some of them: And whereas the said Purlieus as well as the said Forest are subject to divers Rights of Common, Sheepwalks, and other Rights and Interests: And whereas with respect to the said Coppices, as well within the said Purlieus as within the said Forest, the Custom has been to cut them at stated Periods, and after each Cutting to inclose them for Eight Years, and then to throw them open for the Deer and commonable Cattle until the next Cutting: And whereas the Right Honourable Lord *Churchill* is or claims to be entitled to the Offices of Ranger, Launder, and Four Bailiffs, under and by virtue of a Grant thereof made by His late Majesty King *Charles* the Second, in the Thirteenth Year of His Reign, and all Rights, Emoluments, and Privileges conveyed or intended to be conveyed by the said Grant: And whereas the said Lord *Churchill* and his Predecessors in the said Offices, and the Keepers of the said Forest for the Time being, have enjoyed the Use of the said several Lodges herein-before mentioned, with the said Lawns and other Lands herein-before mentioned inclosed therewith, and the said detached Lands at *Shipton Ascot* and *Shorthampton* held therewith, and the said Lord *Churchill* and his Predecessors in the said Offices have also received as the Emoluments of the said Offices certain annual Payments from Her Majesty's Treasury, or out of the Rents payable to Her Majesty on Leases of the said several Coppices within the said Forest, and have also been accustomed to appoint not exceeding Five Keepers for the said Forest, whose Salaries are paid by the said Ranger for the Time being: And whereas the said Forest might be made much more valuable and productive if it were disafforested, and the Deer removed therefrom: And whereas the Continuance of the said Forest in its present State is injurious to the Neighbourhood thereof, and the Disafforestation thereof would be conducive to the Well-being of the said Neighbourhood: And whereas Her Majesty has been graciously pleased to signify Her Assent that the said Forest of *Whichwood* should be disafforested, and the Royal Deer therein removed or destroyed, with all convenient Speed, and that the Officers of Her Majesty of and for the said Forest should be discharged, and that such Allotment should be made to Her Majesty, in respect of Her Forestal and other Estate, Rights, and

and Interests, except Rights of Common (if any) as a Proprietor of Lands entitled to such Rights of Common, in and over and in respect of the said Forest of *Whichwood*, and in respect of all Her Rights (if any) over the said Purlieus thereof, as is herein-after provided, and that such Allotment and Compensation should be made to the said Lord *Churchill* and the other Officers of the said Forest, and that such Allotment or Allotments out of the said Forest should be made for the exclusive Common and Pasturage of the several Persons, Parishes, and Hamlets entitled to Rights of Common or Sheepwalks over the said Forest or Part thereof, and that such Allotment or Compensation should be made for any other Rights to which any Person or Persons are or may be entitled in, over, or in respect of the said Forest, as is herein-after provided: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,—

Commissioners to be appointed for the Purposes of the Act: One by the Treasury, One by the Inclosure Commissioners, and the Third by the Chief Justice of the Court of Queen's Bench.

I. The Provisions of this Act (subject to the Provision herein-after contained with respect to the said Lord *Churchill*) shall be carried into execution by Three Commissioners, of whom One shall be appointed in Writing by the Commissioners for the Time being of Her Majesty's Treasury, One other shall be appointed by the Inclosure Commissioners for *England* and *Wales* for the Time being, and the Third shall be appointed by the Lord Chief Justice of the Court of Queen's Bench for the Time being; and so often as any Vacancy shall occur by Death, Resignation, or Incapacity, a new Commissioner shall be appointed in like Manner as the Commissioner whose Vacancy is to be supplied was appointed; and all such Commissioners so appointed shall for the Time being be the Commissioners for carrying this Act into execution, herein-after designated as "The Commissioners of this Act;" and all Acts and Powers to be performed by or given to the Commissioners of this Act, under the Provisions herein contained, may be performed or exercised by any Two of such Commissioners.

Commissioners to make and subscribe Declaration before entering upon Execution of Office.

II. Every Commissioner shall, before he enter upon the Execution of his Office, make and subscribe the following Declaration before One of the Judges of Her Majesty's Court of Queen's Bench or Common Pleas, or One of the Barons of the Court of Exchequer; that is to say,

'I do solemnly declare, That I will faithfully, impartially, and 'honestly, according to the best of my Skill and Judgment, 'execute the Powers and Duties of a Commissioner under an Act 'passed in the Year of the Reign of Queen Victoria, 'intituled "An Act, *&c.* [*here set forth the Title of this Act*]."'

And

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue, Records, and Inrolments.

Commissioners may appoint a Clerk, and employ Land Surveyors and Valuers.

III. It shall be lawful for the Commissioners of this Act from Time to Time to appoint a Clerk, and, if they shall think fit, to remove such Clerk, and on any Vacancy to appoint another Clerk, and also to employ from Time to Time One or more Land Surveyors and Valuers, in such Manner as they shall think necessary.

Land Surveyor to make and subscribe Declaration before entering upon Execution of Office.

IV. And every Land Surveyor and Valuer so to be appointed shall, before entering upon the Duties of his Office, make and subscribe before the Commissioners of this Act, or before One of such Commissioners (who are hereby severally authorized to administer or receive the same), the Declaration following:

'I *A.B.* do solemnly declare, That I will faithfully, impartially, and 'honestly, according to the best of my Skill and Judgment, 'perform all the Duties which may devolve upon me as a Land 'Surveyor and Valuer in the Matter of an Act passed in the 'Year of the Reign of Queen Victoria, intituled "An Act, *&c.* [*here* '*set forth the Title of this Act*]."'

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue, Records, and Inrolments.

Commissioners of Woods, out of the Land Revenues of the Crown, (subject to Repayment,) to pay the Commissioners and their Clerk, and the Expenses incurred by them in the Performance of their Duties.

V. The Commissioners of Woods, Forests, and Land Revenues, with the Consent of the Commissioners of Her Majesty's Treasury, shall, out of the Land Revenues of the Crown, subject to Repayment as herein-after mentioned, pay and allow to the Commissioners of this Act such Sum not exceeding the Sum of One thousand Pounds as shall be thought sufficient, and in proportion to the Time and Labour which may be bestowed by them respectively in carrying this Act into execution (such Proportion, in the event of any Difference of Opinion with regard thereto, to be finally determined by the Commissioners of Her Majesty's Treasury), and to the Clerk of the Commissioners of this Act for the Time being such Salary not exceeding Two hundred Pounds a Year as shall be considered sufficient, and also shall allow to the Commissioners of this Act, and Clerk, all Costs and Expenses of employing such One or more Land Surveyors and Valuers as aforesaid, and all other reasonable Expenses incurred by them in the Performance of their Duties under this Act.

Commissioners to ascertain the Boundaries of the Forest.

VI. The Commissioners of this Act shall forthwith proceed to ascertain the Boundaries of the said Forest and Purlieus, and to determine all Claims relating thereto, and for the Purpose of determining the said Boundaries shall or may make use of any existing Maps,

Maps, Plans, or Surveys, at their Discretion; and the Boundaries, as ascertained by the Commissioners of this Act, shall be held to be the true Boundaries of the said Forest and Purlieus for all the Purposes of this Act.

Commissioners to set out and award Common Fields for Common of Pasture and Sheepwalks

VII. The Commissioners of this Act, so soon as they shall have ascertained the aforesaid Boundaries, shall proceed to ascertain how much of the said Forest ought to be set apart for the exclusive Pasturage of the commonable Cattle and Sheep of all Persons having Rights of Common of Pasture and Sheepwalks respectively over the said Forest, and shall by their Award allot and set out, as and for Common Fields, so much of the Lands of the said Forest as they shall find sufficient to afford an adequate Compensation for such Rights of Common and Sheepwalks as aforesaid, and out of the said Common Fields, when the same have been so ascertained and allotted as aforesaid, shall set out and appropriate such Portion or Portions thereof as they shall think fit as and for Sheepwalks, and shall allot distinct Sheepwalks and Commons for different Parishes, Districts, or Places now having such Rights of Common or Sheepwalk as aforesaid, and, subject to such Rights of Common and Sheepwalks, the said Common Fields shall be allotted to and vested in the said Lord *Churchill* as his Soil and Freehold, and as Part of the Allotment and Compensation herein-after directed to be made to him, and when such distinct Sheepwalks and Commons shall be so allotted as aforesaid all Right of Intercommonage over the same shall cease.

On the making of the Award the Forest to be disafforested, and Forestal Rights of Her Majesty to cease.

VIII. On the making of such Award as herein directed the said Forest shall be for ever disafforested, and the Right of Her Majesty to Herbage and Feed for Deer, and all other the Forestal Right of Her Majesty in or over the Parts of the said Forest so to be allotted for such Common Fields and Sheepwalks aforesaid, shall absolutely cease, except as to Her Rights (if any) as Owner of Lands entitled to Rights of Common over the said Forest.

Commissioners of Woods to remove Deer within Two Years from the passing of the Act.

IX. The Commissioners of Woods, or other the proper Officer or Officers of Her Majesty of or for the said Forest, shall with all convenient Speed, and within Two Years from the passing of this Act, under the Direction of Her Majesty, Her Heirs or Successors, remove or destroy, or cause to be removed or destroyed, all the Deer within the said Forest, and apply and dispose of the same as Her Majesty, Her Heirs or Successors, shall direct.

Commissioners of Woods, within Two Years from the

X. It shall be lawful for the Commissioners of Woods, on behalf of Her Majesty, with all convenient Speed, and within Two Years from

making of the Award, to cut down, sell, and remove Timber, &c. from Common Fields.

from the making of such Award, to cut down, sell, and remove, or cause to be cut down, sold, and removed, from the said Common Fields, and from such Portion of the said Forest as may be sold by the Commissioners of this Act for the Purposes herein-after mentioned, all such Timber and other Trees, Bushes, and Underwood growing thereon as they shall think fit: Provided always, that it shall be lawful for the Commissioners of Woods to agree with the said Lord *Churchill*, upon such Terms as they shall think fit, for allowing any of such Timber and other Trees to remain on the said Common Fields for Ornament and Shelter.

Commissioners, in allotting Common Fields, to consider Advantages derived by Commoners from Extinction of Forestal and other Rights.

XI. The Commissioners of this Act, in ascertaining the Extent proper to be allotted as such Common Fields as aforesaid, shall take into consideration the Advantage which will be derived by the Commoners aforesaid from the Extinction of Her Majesty's Forestal Rights, and the Rights of the Officers of the said Forest, and from the Removal of the said Deer.

In ascertaining Extent of Common Fields, Her Majesty to be considered as representing Rights of Ranger and Forest Officers.

XII. For the Purpose of such Allotment as aforesaid as between Her Majesty and the Commoners, Her Majesty shall be considered as having and representing all the Rights and Privileges of the said Lord *Churchill* and of all other the Officers of the said Forest, and of all Persons entitled to Rights and Privileges (other than Rights of Common) over the said Forest by this Act directed to be extinguished and destroyed, which Rights and Privileges shall be taken into consideration by the Commissioners of this Act, in the same Manner as if the same had been vested in possession in and in the actual Enjoyment of Her Majesty, and all such Rights and Privileges, as well as all other the Rights and Privileges of Her Majesty, shall be taken into consideration by the said Commissioners in ascertaining the Extent of such Common Fields, and so that the Residue of such Forest to be allotted to Her Majesty shall be a just and fair Compensation and Equivalent for and for the Extinguishment of such Rights and Privileges.

Her Majesty, and all Persons Owners of now existing Rights of Sheepwalk and Common of Pasture, to have same Rights over the Part allotted as Common Fields, and for Sheepwalks.

XIII. And with respect to the Parts so to be allotted as and for Common Fields and Sheepwalks, Her Majesty, Her Heirs and Successors, and all other Persons the Owners of Lands in respect of which Rights of Sheepwalk now exist in and over the existing Sheepwalks, their Tenants and Occupiers, shall respectively have the like Rights in and over the Sheepwalks so to be set out as aforesaid in respect of such Lands respectively, and Her Majesty, Her Heirs and Successors, and all other Persons the Owners of Lands in respect of which Rights of Common of Pasture other than Deer Feed now exist in and over the said Forest, their Tenants and Occupiers,

Occupiers, shall respectively have the like Right of Common of Pasture over the said Common Fields set out in respect of such Lands respectively, and the said Common Fields and Sheepwalks so to be allotted as aforesaid shall be freed and discharged from all Rights of Herbage and Feed for Deer, and from all other the Forestal Rights of Her Majesty, and from all Rights of the Officers of the said Forest.

After Disafforestation the Forest to be a Parish.

XIV. The said Forest, after the Disafforestation thereof, shall be a Parish, and called and known by the Name of *Whichwood* Parish, and shall have Parish Officers, and maintain its Poor and Roads, and do and provide all such other Things as by the Laws of *England* Parishes are bound to do and provide.

Commissioners to allot Land for a Site for a Church, Burial Ground, Parsonage House and Garden, and Schools, &c

XV. The Commissioners of this Act shall allot such Land, Part of the said Forest, as they shall think fit, not exceeding Ten Acres, for a Site for a Church, and Burial Ground to be annexed thereto, and for a Parsonage House and Garden for the Incumbent thereof, and also for a School and Playground.

Parish to be a Perpetual Curacy within the See of Oxford.

XVI. The said Parish shall be a Perpetual Curacy in the Gift of the Bishop of *Oxford*, and shall for Ecclesiastical Purposes be within the See of *Oxford*, and in all respects subject to the same Ecclesiastical Jurisdiction as other Parishes within the same See are or shall or may be subject, and the Church thereof, when erected, shall be to all intents a Parish Church.

Commissioners to set out and allot Roads.

XVII. The Commissioners of this Act shall set out and allot such Roads and Ways through and over the said Forest and the Purlieus thereof, and, with the Consent of the Owners, through and over any inclosed Lands adjoining thereto, as they shall think fit, and they shall, if they shall think fit, agree to make Compensation to such Owners or Owner for making any such Roads or Ways, Road or Way, over such adjoining Lands; and such Roads and Ways shall be public Highways, and kept and maintained as such, and after setting out the same all other existing Roads or Ways over the Forest or Purlieus shall be shut up and discontinued.

New Roads to be made, and Expense thereof to be defrayed by the Sale of Land.

XVIII. The Commissioners of this Act shall cause the said new Roads to be made and fenced, and shall, for the Purpose of defraying the Expense thereof, and also for the Purpose of making such Compensation (if any) as they shall agree to give to any such Owners or Owner of the adjoining inclosed Lands as aforesaid, sell so much of the said Forest as they shall find necessary for those Purposes, for which Purposes their Conveyance shall vest an indefeasible Estate of Inheritance

heritance in the Purchaser or Purchasers, and their Receipt shall be a sufficient Discharge for the Purchase Monies.

Allotments out of Residue to Ranger in respect of his Rights.

XIX. And with respect to the Residue of the said Forest, and the said detached Lands at *Shipton Ascot* and *Shorthampton*, the Commissioners of this Act shall by their Award allot thereout to the said Lord *Churchill* the Lodge called the *Ranger's Lodge*, with the Lawns and cultivated Lands inclosed therewith, and the Appurtenances and the said detached Lands, together with so much of the Land of the said Forest adjoining or near thereto, or to *Cornbury* Park, as shall in their Judgment be, together with the Soil and Freehold of the said Common Fields, a sufficient Compensation for the Emoluments and Privileges of his said Offices, and for all the Rights and Interests which he acquired under or by virtue of the said Grant of His late Majesty *Charles* the Second, which said Lodge, with the Appurtenances, and the said Lawns and cultivated Lands, and the said last-mentioned Allotments, shall thereupon become and be the absolute and exclusive Property of the said Lord *Churchill* and his Heirs, and shall be held and enjoyed freed and for ever discharged from all Rights and Claims of Her Majesty, Her Heirs and Successors, and of all other Persons whomsoever, in or over the same; and in ascertaining the Extent of the Allotment so to be made to the said Lord *Churchill*, the Commissioners of this Act shall take into consideration the Value of the Timber and other Trees, Bushes and Underwood, left thereon, and on the said Lodge, Lawns, and cultivated Lands, as well as the Extinction of Her Majesty's Forestal and other Rights in and over the same; and the said Allotment of the said Lodge, with the said Lawns and cultivated Lands, and the said detached Lands, together with such Portion of the said Forest as aforesaid, and the said Soil and Freehold of the said Common Fields as aforesaid, shall be taken and be in full Discharge and Compensation of and for all Rights of the said Lord *Churchill* in or in respect of the said Forest or any Forestal Office whatsoever: Provided always, that nothing herein-before contained shall preclude the said Lord *Churchill* from claiming Compensation for the Loss of his Wall Acre within the said Forest, or for the Loss of Composition Venison in respect of his Purlieu Coppices; but the Commissioners of this Act shall determine upon the said last-mentioned Claims, and shall make such further Allotment (if any) to the said Lord *Churchill* in respect thereof as they shall think fit: Provided also, that nothing herein-before contained shall affect the Rights of the said Lord *Churchill* or his Heirs to Common of Pasture and Sheepwalks upon or over the said Common Fields when so allotted and set out as herein-before directed.

XX. It

XX. It shall be lawful for the said Lord *Churchill*, or for any other Person who may be or become a Proprietor of any Allotment or Allotments to be made by virtue of this Act, being Tenant for Life or in Tail or for any other Estate of Freehold or Inheritance (with the Consent of the Commissioners of this Act testified in Writing under their Hands and Seals), from Time to Time to charge as well such Allotment or Allotments as also any other Lands now being Parcel of the said Forest to which the said Lord *Churchill* or any such other Person as aforesaid may become entitled by Purchase or Exchange for any such Estate as aforesaid with any Money not exceeding Five Pounds *per* Acre, towards the Expenses of fencing and sub-dividing such Allotment or Allotments and other Lands, and for securing the Repayment of such Money, with Interest, to mortgage or demise the said Allotment or Allotments and other Lands unto or in trust for any Person who shall advance such Money for any Term of Years, but so that every such Mortgage or Demise be made with a Condition to cease and be void, or with an express Trust to be surrendered or re-assigned, when the Money thereby to be secured, with all Interest thereon, shall have been fully paid and satisfied, and so that in every such Mortgage or Demise which shall be made by any Person entitled for Life there be contained a Covenant to pay and keep down the Interest of the Money to be secured during his Life, in such Manner that no Person afterwards becoming possessed of such Lands shall be subject or liable to pay any larger Arrears of Interest than for Six Months previous to the Time when the Title of such Person shall accrue or commence; and every such Mortgage or Demise shall be valid in the Law for the Purposes thereby intended; and every such Mortgagee and his Assigns shall have the like Remedies in case of Nonpayment of the Monies thereby secured as in the Case of other Mortgages of the like Nature.

Lord Churchill or any other Proprietor may charge Allotments towards Expense of Fencing, &c.

XXI. The Commissioners of this Act shall set out and allot so much and such Part of the several Purlieu Coppices of the said Lord *Churchill*, or of any of them, as they shall think fit, as permanent Common, in lieu of the existing Right of Common upon the whole of such Coppices, during a certain Part of Ten out of every Eighteen Years, and the Residue of such Purlieu Coppices shall be thereupon freed and for ever discharged from all Rights of Common whatsoever, and shall thenceforth be enjoyed by the said Lord *Ghurchill* as and for his own exclusive Property: Provided always, that the Soil and Freehold of the Parts of the said Purlieu Coppices to be set out and allotted as aforesaid, together with the Timber and other Trees and Underwood growing thereon, shall remain vested in the said Lord *Churchill*.

As to Lord Churchill's Purlieu Coppices.

Power to Lord Churchill, for the Purpose of his Allotment, to appoint a Commissioner to act in the Place of the Commissioner appointed by Inclosure Commissioners.

XXII. For the Purpose of making such Allotment to the said Lord *Churchill*, it shall be lawful for him, if he shall think fit, under his Hand, to appoint a Commissioner in place of the Commissioner so to be appointed by the said Inclosure Commissioners as aforesaid, and in case of Vacancy in the Office of Commissioner so appointed by him to appoint another Commissioner to supply such Vacancy, and so from Time to Time as there shall be Occasion; and the Commissioner so to be appointed shall act in the Execution of this Act, so far as relates to such Allotment to the said Lord *Churchill*, in all respects with the same Powers, and be entitled to the like Emoluments, as if he had been appointed by the said Inclosure Commissioners.

In case of Lord Churchill's Death before Allotment, Act to bind his Heirs.

XXIII. In case the said Lord *Churchill* shall die before the Completion of the said last-mentioned Allotment or Allotments, all the Provisions herein contained relating to the said Lord *Churchill* shall extend and be applied in all respects to any and every Person who, after his Decease, shall for the Time being be the Ranger or Rangers of the said Forest, or who but for this Act would be such Ranger or Rangers.

After Award all Right of Intercommoning in Purlieus to cease, &c.

XXIV. That when and so soon as the Commissioners of this Act shall have made their Award as herein-after provided, all Right of Intercommoning (if any) upon the Purlieus situated in different Parishes or Places shall cease and determine; and thenceforth neither the Purlieu Wastes nor the Portions of Purlieu Coppices of the said Lord *Churchill* to be so set out and allotted for permanent Common as herein-before directed, nor the Purlieu Coppices of other Persons, shall afterwards be commonable for any other Cattle or Sheep than those of Persons having a Right of Common in respect of Lands situated in the Parish or Place of which such respective Purlieus form Part.

After Allotment to Lord Churchill, all his Offices, Rights, and Privileges to cease.

XXV. From and after the making of the said Allotment or Allotments to the said Lord *Churchill* the said Offices of Ranger, Launder, and Four Bailiffs, and all Letters Patent, Grants, and Appointments thereto, and all other Offices in and for the said Forest, and all Rights, Privileges, and Emoluments incident or annexed thereto, shall absolutely cease and determine.

Pecuniary Compensation to be made to other Officers out of the Land Revenues of the Crown.

XXVI. Such pecuniary Compensation shall be made by the Commissioners of Woods, out of the Land Revenues of the Crown, to all Persons holding any such Offices as aforesaid, except the said Lord *Churchill* or other the Ranger for the Time being, as the Commissioners of Her Majesty's Treasury shall think fit and reasonable.

XXVII. If

XXVII. If it shall appear to the Commissioners of this Act that there are or is any other Person or Persons whose Rights will be injuriously affected by the Operation of this Act, the Commissioners of this Act shall ascertain the Nature of their or his Rights, and of the Injury done thereto, and shall determine whether such Injury can be more conveniently and adequately compensated by an Allotment of Land out of the said Forest, or by a pecuniary Compensation, and such Determination shall be final; and in case they shall determine in favour of a Compensation by way of Allotment to any such Person, they shall forthwith allot so much of that Portion of the said Forest which, under the Provisions of this Act, shall not have been otherwise allotted, as to the Commissioners of this Act shall appear a reasonable and sufficient Compensation; and if the Commissioners of this Act shall determine in favour of a pecuniary Compensation, then they shall ascertain the proper Amount thereof, and the Person or Persons to whom the same shall be paid, and shall certify the same to the Commissioners of Woods, who shall pay the same out of the Land Revenues of the Crown; and in such Case the Commissioners of this Act shall take the same into Consideration in making the Allotment hereby directed.

Compensation in Land or Money to be made to all other Persons (if any) injuriously affected by the Act.

XXVIII. All Allotments and Compensation shall enure and be held to the same Uses and upon the same Trusts as the Estates in respect of which the same shall be so allotted and given.

Allotments to be held to the same Uses as the Estate in respect of which the same are made.

XXIX. After the Allotments aforesaid the Residue of the said Forest shall thereupon become and be absolutely vested in Her Majesty, Her Heirs and Successors, in Her and their Demesne as of Fee, freed, exonerated, and for ever discharged from all Rights of Common, and all Rights, of what Nature and Kind soever, either of the said Lord *Churchill* or of any other Persons or Person whomsoever; and it shall be lawful for the said Commissioners of Woods to exercise all the same Powers over and in respect of the Lands to be allotted to Her Majesty in and by the said Award, as herein provided, as they are or at any Time hereafter shall be by Law enabled to exercise over and in respect of other Lands of Her Majesty in right of Her Crown, not being Royal Forests, Parks, or Chases.

After the Allotments aforesaid the Residue of the Forest to become absolutely vested in Her Majesty.

XXX. The Commissioners of this Act shall make their Award or Awards in Writing within Three Years from the passing of this Act, and every such Award shall be executed in Duplicate, and One Part of such Award shall be deposited in the Office of Land Revenue Records and Enrolments, and the other Part thereof with the Clerk of the Peace for the said County of *Oxford*, there to remain and be examined

Commissioners to make their Award within Three Years, and deposit One Part in Land Revenue Record Office, and the other with Clerk of the Peace.

examined by all Persons at all reasonable Times on Payment of a Fee of One Shilling for each Examination.

Provision as to Costs in and about the Execution of this Act.

XXXI. The Commissioners of Woods shall pay all the Costs, Charges, and Expenses herein-before directed to be defrayed out of the Land Revenues of the Crown, and all other Costs, Charges, and Expenses incurred by them in and about the Execution of this Act, in the first place, out of the Produce of the Timber and other Trees, Bushes and Underwood, to be cut down and sold, or otherwise disposed of under or by virtue of this Act, and so far as that shall not be sufficient the same shall be paid as Part of the Costs of Management of the Land Revenues of Her Majesty.

Commissioners may, if they think fit, examine Witnesses upon Declaration.

XXXII. The Commissioners of this Act may examine upon Declaration all such Persons as they may think fit, who attend before them for the Purpose of giving Evidence upon any Matter or Proceeding under the Authority of this Act, and for that Purpose may administer or receive Declarations, which Declarations may be in the following Form:

'I *A.B.* do solemnly declare, That the Evidence I shall give before you touching the Matter in question shall be the Truth, the whole Truth, and nothing but the Truth.'

Persons giving false Evidence guilty of Misdemeanor.

XXXIII. If any Person under the Provisions of this Act shall wilfully give false Evidence, or shall make or subscribe a false Declaration for the Purposes of this Act, he shall be deemed guilty of a Misdemeanor.

Short Title.

XXXIV. It shall be sufficient for all Purposes to cite this Act as the "*Whichwood* Disafforesting Act, 1853."

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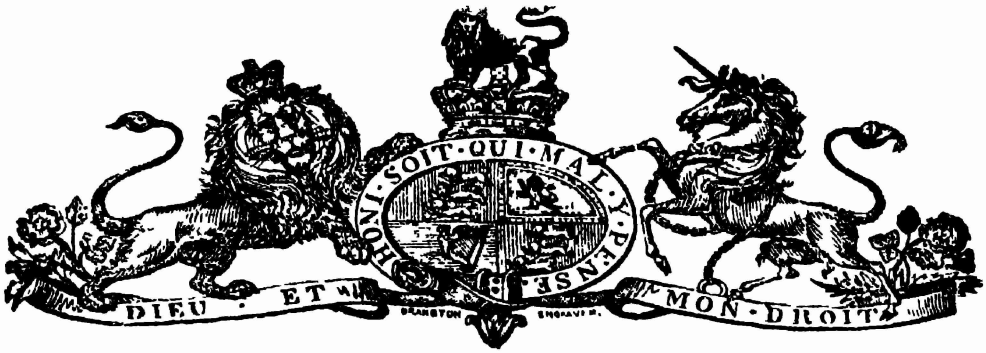

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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and (B.) to this Act annexed on the Removal of the same between *Scotland*, *Ireland*, and *England* respectively; and it is also expedient to amend the Laws relating to collecting and securing the Duties of Excise upon Spirits: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grant of additional Duties of Excise on Spirits in Scotland and Ireland.

I. In addition to the Duties of Excise now payable under any Act or Acts in force on Spirits in *Scotland* and *Ireland* respectively, there shall be charged, raised, levied, collected, and paid, upon every Gallon of Spirits of the Strength of Hydrometer Proof which shall on or after the Twenty-first Day of *April* One thousand eight hundred and fifty-three be distilled in *Scotland* and *Ireland* respectively, or be in the Stock, Custody, or Possession of any Distiller in *Scotland* or *Ireland*, or which, having been distilled in *England*, *Scotland*, or *Ireland*, shall, on or after the said Day, be in Warehouse in *Scotland* or *Ireland*, and be taken out of Warehouse for Consumption in *Scotland* or *Ireland*, or which, having been taken out of Warehouse in *England* for Removal to *Scotland* or *Ireland*, shall, on or after the said Day, be brought into *Scotland* or *Ireland*, the additional Duty following; that is to say, in *Scotland* the additional Duty of One Shilling, and in *Ireland* the additional Duty of Eightpence, and so in proportion for any greater or less Degree of Strength or any greater or less Quantity.

New Countervailing Duties on Spirits the Manufacture of the Channel Islands, imported into Scotland and Ireland.

II. On and after the said Twenty-first Day of *April* One thousand eight hundred and fifty-three, in lieu of the Countervailing Duties now chargeable under any Act or Acts in force on Spirits of the Nature or Quality of plain *British* Spirits manufactured or distilled in the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sark* respectively, and imported from any of the said Islands into *Scotland* or *Ireland*, there shall be charged and paid the following Countervailing Duties; that is to say,

For and upon every Gallon of such last-mentioned Spirits of the Strength of Hydrometer Proof imported into *Scotland*, the Sum of Five Shillings and Tenpence;

And for and upon every Gallon of such last-mentioned Spirits of the like Strength imported into *Ireland*, the Sum of Four Shillings and Sixpence;

and so in proportion for any greater or less Degree of Strength or any greater or less Quantity of such Spirits imported into *Scotland* and *Ireland* respectively.

New Countervailing Duties and

III. In lieu of the respective Duties and Drawbacks of Excise now payable under any Act or Acts in force upon the several Mixtures,

Mixtures, Compounds, Preparations, and Commodities mentioned and described in the respective Schedules (A.) and (B.) to this Act, on the Removal of the same respectively, as herein-after mentioned, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon the said several Mixtures, Compounds, Preparations, and Commodities which on or after the said Twenty-first Day of *April* One thousand eight hundred and fifty-three shall be removed from *Scotland* or *Ireland* to *England*, or from *Ireland* to *Scotland*, the several Sums of Money and Duties of Excise as they are respectively inserted, described, and set forth in the Schedule (A.) to this Act annexed; and there shall be allowed and paid, in respect of all such Mixtures, Compounds, Preparations, and Commodities, which on or after the said last-mentioned Day shall be removed from *England* to *Scotland* or *Ireland*, or from *Scotland* to *Ireland*, the several Drawbacks of Excise inserted, described, and set forth in the Schedule (B.) to this Act annexed.

Drawbacks on Removal of Spirit Mixtures and Compounds between Scotland, Ireland, and England.

IV. The said several Duties and Drawbacks of Excise by this Act granted and imposed and allowed respectively shall be under the Management of the Commissioners of Inland Revenue, and shall be charged, raised, levied, collected, recovered, paid, applied, and allowed respectively in such and the like Manner, and by the same Means, Ways, or Methods, by which other Duties and Drawbacks of Excise on and in respect of Spirits, and Spirit Mixtures, Compounds, and Preparations, are or may be respectively charged, raised, levied, collected, recovered, allowed, paid, and applied, and all Acts relating to the Duties and Drawbacks of Excise respectively, and all Fines, Forfeitures, Pains, and Penalties for any Offence against or in breach of any Act or Acts for securing the Duties of Excise or any of them, or for the Regulation or Improvement thereof, and the several Clauses, Provisions, Powers, and Directions contained in such Acts, shall and are hereby directed and declared (except as altered by this Act) to extend to and shall respectively be applied, practised, and put in execution for and in respect of the said Duties and Drawbacks hereby granted, imposed, and allowed respectively, in as full and ample a Manner, to all Intents and Purposes, as if all and every the said Acts, Clauses, Provisions, Powers, and Directions, Pains, Penalties, and Forfeitures, were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties and Drawbacks hereby respectively granted, imposed, and allowed as aforesaid.

Additional Duties and Drawbacks to be under the Management of the Commissioners of Inland Revenue, and be raised and allowed under the same Provisions as former Duties and Drawbacks.

V. From and after the Tenth Day of *October* One thousand eight hundred and fifty-three, no Spirit Receiver shall be used in any Distillery which shall not be made, placed, and fixed to the Satisfaction

Spirit Receivers to be filled to the Depth of Fifteen Inches.

faction of the Commissioners of Inland Revenue, and be of a Depth sufficient to admit of the Gauge of the Spirits in such Receiver being taken of the Depth of Fifteen Inches at the least in the Centre of such Receiver, and every such Receiver shall be so filled with Spirits that at the Time of gauging the same for the Purpose of charging the Duty thereon the Depth of Spirits therein shall not be less than Fifteen Inches; and if any Spirit Receiver shall be made use of in any Distillery which shall not be so made, placed, and fixed as aforesaid, or which shall not be of a Depth sufficient to admit of the Gauge of the Spirits therein being taken of the Depth aforesaid, or if any Distiller shall neglect or refuse to cause any Spirit Receiver used in his Distillery to be so filled with Spirits that at the Time of gauging the same as aforesaid the Depth of Spirits therein shall not be less than as aforesaid, unless from any unavoidable Cause or Circumstance he shall be unable so to do, he shall forfeit for every such Offence the Sum of Fifty Pounds.

Commissioners may allow Spirit Receivers already erected of a less Depth than Fifteen Inches to be used.

Mode of charging Spirits in such Case.

VI. Provided always, That it shall be lawful for the Commissioners of Inland Revenue to allow the Use of any Receiver which before the passing of this Act shall have been erected and in use in any Distillery, although the same may be of so large an Area that the Spirits distilled from the Wash contained in the respective Wash-backs of such Distillery may be insufficient to fill such Receiver to the Depth aforesaid, and in such Case, as well as in any other Case in which the Depth of Spirits in any Spirit Receiver shall be less than Fifteen Inches, the Charge of Spirits in any such Receiver shall be made on the next Tenth Part of an Inch marked on the graduated Scale on the Dipping-rod above the Point which the Dip of such Spirits in such Receiver shall indicate thereon, and the said next Tenth on such graduated Scale shall be deemed to be the actual Dip of such Spirits, and the proper Officer shall enter the same in his Survey Book, and charge the Duty accordingly, making an Allowance to the Distiller of One Half of a Gallon in every One hundred Gallons of the Quantity so charged, computed at the Strength of Hydrometer Proof.

Commissioners may order more than One Dipping-place to be made in Spirit Receivers.

VII. It shall be lawful for the Commissioners of Inland Revenue, in any Case in which they shall see fit, to order and direct that there shall be Two or more Dipping-holes of the Form and Dimensions prescribed by Law in that Behalf in the Cover of any Spirit Receiver, and in the Cover of any Store Cask or Vat, used in any Distillery, and such Dipping-holes shall be made in such Places in the Cover of such Receiver, Store Cask and Vat respectively, as the said Commissioners shall direct in that Behalf, and in One of such Dipping-holes in the Spirit Receiver there shall be placed such Dipping-rod as shall be

be provided by the proper Officer, who shall secure the same in such Manner as to him shall seem expedient to prevent the Removal thereof out of any such Vessel as aforesaid, and each of the other Dipping-holes in the Spirit Receiver and also the Dipping-holes in the Store Cask or Vat shall be secured in such Manner as the Supervisor of Excise shall think proper; and if any Distiller shall refuse or neglect to cause such Dipping-holes or any additional Dipping-hole to be made pursuant to any Order or Direction of the said Commissioners in any Spirit Receiver, or in any Spirit Store Cask or Vat, used in his Distillery, or if any Distiller shall remove any such Dipping-rod out of any such Receiver, or remove any Fastening from any such Dipping-hole, or otherwise gain Access to the Spirits in any such Vessel as aforesaid by means of any such Dipping-hole, such Distiller shall for every such Offence forfeit the Sum of Two hundred Pounds.

Spirits to be removed from Receiver into entered Store Vat or Cask.

VIII. All Spirits distilled in any Distillery shall, after the proper Officer shall have taken an Account of the Quantity and Strength thereof, be forthwith removed and conveyed through a close Metal Pipe from the Spirit Receiver into an entered Store Cask or Vat in the entered Spirit Store of such Distillery, and every such Store Cask and Vat respectively shall be a close covered Vessel, and shall be secured with proper and sufficient Fastenings for securing the Spirits therein to the Satisfaction of the proper Supervisor or other superior Officer, which said Fastenings shall be provided and kept in proper Repair by and at the Expense of the Distiller; and if any Distiller shall refuse or neglect to cause all such Spirits to be removed and conveyed in manner aforesaid into such entered Store Cask or Vat as aforesaid, or shall refuse or neglect to provide and fix and maintain such Fastenings as aforesaid for securing such Store Cask or Vat, and the Spirits therein, in manner aforesaid, he shall forfeit the Sum of Two hundred Pounds.

A proper Spirit Store to be provided in every Distillery.

IX. There shall be a proper Spirit Store in every Distillery for keeping and securing the Spirits distilled thereat, and every such Spirit Store shall be a secure Room or Place approved by the Commissioners of Inland Revenue, and provided with proper Fastenings for the Purpose of locking up and securing the same to the Satisfaction of the proper Supervisor or other superior Officer, all which Fastenings shall be provided and fixed and from Time to Time maintained by and at the Expense of the Distiller; and every such Spirit Store shall be kept locked up by the proper Officer in charge of such Store, at all Times, except when such Officer shall be in attendance; and it shall be lawful for the Commissioners of Inland Revenue to refuse to grant and to prohibit the granting of any Licence to keep a Still for the distilling of Spirits to any Person until he shall have provided and made in his Distillery a proper

Store approved as aforesaid, and it shall also be lawful for the said Commissioners to suspend or revoke any such Licence which may at any Time have been granted to any Distiller, unless and until he shall have provided and made such Store, and until he shall have provided and fixed such Fastenings for securing the same in manner aforesaid.

Duty on Spirits lost or destroyed by Fire or other Accident to be remitted.

X. If any Spirits shall be lost or destroyed by Fire or other unavoidable Accident while such Spirits are deposited in the Spirit Store of any Distillery or whilst such Spirits are being received into or delivered out from such Store, or if any Spirits or any Wash or other exciseable Materials for making Spirits in any Distillery shall be lost or destroyed in manner aforesaid, it shall be lawful for the Commissioners of Inland Revenue, on Proof of such Loss or Destruction being given to their Satisfaction, to remit the Duty payable or paid in respect of such Spirits, Wash, or other Materials so lost or destroyed, as well as the Duty on any Malt which may have been used in the making of any such Spirits or Wash.

Officer in charge of Spirit Store to attend daily.

XI. The Officer in charge of every such Spirit Store shall attend thereat daily (*Sundays* excepted) from the Hour of Five o'Clock in the Morning until Eight o'Clock in the Evening, and all Spirits in any such Spirit Store shall be filled into the Casks in the Presence of such Officer, in such Manner and under such Regulations as the Commissioners of Inland Revenue shall in that Behalf direct, and such Officer shall take an Account of the Weight or Measure and Strength of all such Spirits.

The true Content to be marked on moveable Casks.

XII. Every Distiller shall cause to be legibly cut, branded, or painted on the Outside of both of the Heads or Ends of every rolling or moveable Cask used in his Distillery for keeping or delivering out Spirits, and shall at all Times keep thereon so cut, branded, or painted, the full and true Number of Gallons, and also any Quarter or Quarters of a Gallon over and above any Number of entire Gallons, which any such Cask shall be capable of containing; provided that where the Contents of any Cask shall exceed Eighty Gallons, then in lieu of such Quarter or Quarters of a Gallon any fractional Part amounting to Three Fourths or more of a Gallon which any such Cask shall be capable of containing over and above any Number of entire Gallons shall be reckoned as a whole Gallon, and included in the Number of Gallons to be so cut, branded, or painted as aforesaid on such Cask; and if any such Cask which shall be used for the Purpose aforesaid shall not have so cut, branded, or painted thereon in manner aforesaid the full and true Number of Gallons as aforesaid, and in the Case of a Cask not exceeding Eighty Gallons the Quarter or Quarters of a Gallon, according to the Directions

tions of this Act, such Cask, together with any Spirits contained therein, shall be forfeited, and may be seized by any Officer of Excise.

XIII. It shall not be lawful for any Officer of Excise to grant any Permit for the Removal of any Spirits from the Stock of any Distiller, except for such Spirits as shall be sent or delivered into Warehouse, pursuant to the Provisions of the Acts in that Behalf, unless such Distiller shall produce to such Officer the Receipt of the Collector of Excise for the Duty on such Spirits, nor unless such Distiller shall suffer such Officer to endorse on such Receipt the Quantity of Spirits for which such Permit is required, and the Date of such Permit; and every such Officer is hereby required to make such Endorsement accordingly.

Officer shall not grant Permit for the Removal of Spirits out of Distillery, except to Warehouse, until Collector's Receipt for the Duty shall be produced to him.

XIV. All the Spirits which shall be distilled at any Distillery during One distilling Period shall be removed from the entered Spirit Store, and the Duty thereon paid for Consumption, or shall be conveyed to and deposited in a Warehouse, under the Provisions of the Acts in that Behalf, within Six Days after the Termination of such distilling Period, and before any Spirits of a succeeding distilling Period are brought into such Store; and if any Spirits of One distilling Period (other than a Quantity not exceeding One hundred and fifty Gallons, and in One Ullage Cask,) shall be and remain in any such Store at any Time after Six Days from the Termination of such distilling Period, or if within the said Term of Six Days any Quantity of the Spirits of One distilling Period (other than such Quantity and in such Cask as aforesaid) shall be and remain in any such Store at any Time after any Spirits of any succeeding distilling Period are brought into the same Store or into any other such Store at the same Distillery, the Distiller shall forfeit for every Gallon of Spirits of such former Period so remaining in such Store in either of the Cases aforesaid the Sum of Twenty Shillings.

All Spirits distilled during distilling Period to be removed from entered Spirit Store within Six Days after Termination of such Period.

XV. When all the Spirits distilled at any Distillery in any One distilling Period shall have been removed from the Spirit Store, as herein-before required, or at the Expiration of Six Days after the Termination of such distilling Period, a Balance shall be struck by the proper Officer in the Stock Account kept by him for such Distillery, and in the Return to be made by such Officer of the Quantity of Spirits for which the Distiller shall have become chargeable during the preceding distilling Period an Allowance shall be made to such Distiller of any Deficiency in Stock occasioned by natural Waste, not exceeding the Proportion of One Gallon for every One hundred Gallons at Hydrometer Proof of the Spirits removed from the Spirit Receiver to the Spirit Store; and if the Deficiency shall exceed such Proportion, then an Allowance shall be made

Balance to be struck in Stock Account, and Allowance made for Deficiency occasioned by natural Waste.

made in respect thereof to the Extent of the Rate and Proportion aforesaid; provided that if the Deficiency shall exceed the Proportion of Three *per Cent.* on such Spirits so removed as aforesaid, no Allowance whatever shall be made in respect thereof.

No Spirits but from the Receiver to be placed in Spirit Store.

XVI. No Spirits shall be placed in the entered Spirit Store of any Distillery other than such Spirits as shall be conveyed directly from the Spirit Receiver of such Distillery into such Store, nor shall any Spirits which have been removed from any such Store be again brought into the same from any Place whatever.

Distiller's Stock Account of Proof Spirits to be kept by Officer.

XVII. The proper Officer of Excise shall, as often and at such Time and Times as he shall think fit, take and keep an Account by way of Debtor and Creditor of the Stock of Spirits in the Distillery and Store of every Distiller, and shall in such Account debit such Stock with the full Quantity of Spirits computed at Hydrometer Proof which shall be from Time to Time duly conveyed, pursuant to this Act, into such Stock from the Spirit Receiver in such Distillery, and shall credit such Stock with the full Quantity of Spirits computed at Hydrometer Proof which shall be from Time to Time sent out of such Stock under legal Permit; and if at any Time the Quantity of such Spirits which shall be found in the Stock or Possession of any such Distiller shall be greater than the Quantity of Spirits which by the Stock Account so kept by such Officer ought to be in the Stock or Possession of such Distiller, all such excess Quantity of Spirits shall be forfeited, and may be seized by any Officer of Excise, and every such Distiller shall forfeit the Sum of Twenty Shillings for each and every Gallon of such excess Quantity of Spirits; and if at any Time the Quantity of Spirits in the Stock or Possession of any Distiller shall be less than the Quantity of Spirits which by the Stock Account so kept by such Officer ought to be in the Stock or Possession of such Distiller, every such Distiller, whenever such Deficiency shall appear, shall forfeit the Sum of Twenty Shillings for every Gallon of Spirits which shall be so deficient; which said respective Penalties of Twenty Shillings for every Gallon of Spirits in excess or deficiency in the Quantity of Spirits which ought to be in the Stock or Possession of such Distiller shall not be mitigated or reduced to any less Sum by the Court before which the Complaint or Information for Recovery thereof shall be heard and determined, anything in any Act or Acts of Parliament to the contrary notwithstanding: Provided always, that no Distiller shall be liable to such Penalty or Forfeiture in any Case where such Excess shall not exceed One Half *per Centum*, or where such Decrease or Deficiency shall not exceed Three *per Centum*, on the Quantity of Spirits formed by the Balance left on the last stocking, and the Quantity of Spirits since duly brought into Stock from the Spirit Receiver, nor in any Case where such

such Distiller shall prove to the Satisfaction of the Commissioners of Inland Revenue that such Decrease did not result from any Fraud practised or intended; but in any Case of Excess where no Penalty or Forfeiture shall be incurred and prosecuted for, the Duty on such Excess shall be charged against the Distiller.

XVIII. It shall be lawful for any Distiller to warehouse any Spirits distilled in his Distillery in Casks containing not less than Nine Gallons each, subject to and under in all other respects the Provisions, Rules, and Regulations, Penalties and Forfeitures, in force relating to the distilling, warehousing, and Removal of such Spirits.

Distillers may warehouse Spirits in Casks containing not less than Nine Gallons.

XIX. Notwithstanding anything contained in the Act passed in the Fourth Year of King *George* the Fourth, Chapter Ninety-four, and the Act passed in the Sixth Year of the said King, Chapter Eighty, and in the Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of Her Majesty's Reign, Chapter One hundred and twenty-two, or any of the said Acts respectively, it shall be lawful to send out or remove from any Distillery, either for Consumption or into any Warehouse, Spirits in any Quantity not less than Ten Gallons in any One Cask, provided such Spirits be of the respective Strengths, or One of them, specified in the said Acts respectively, or within Six Tenths of One *per Centum* over or under the said Strengths specified in the said Acts respectively of the Fourth and Sixth Years of the said King, or within the like Degree under the Strength specified in the said Act of the Eleventh and Twelfth Years of Her Majesty, and provided that the true and exact Quantity and Strength of all such Spirits be expressed in the Permit accompanying the same; and no Spirits shall be sent out or removed from any Distillery in any Cask containing a less Quantity than as aforesaid, or in any other Manner than as prescribed by the said respective Acts (save as herein provided), under the Penalties and Forfeitures contained in the said Acts in that Behalf.

Spirits may be sent out from Distillery in Casks containing not less than Ten Gallons, and of the Strength specified.

XX. Notwithstanding anything contained in any Act in force to the contrary, it shall be lawful to send out Spirits from any Spirit Store for Consumption or to be warehoused in Casks either full or on Ullage; provided always, that the Commissioners of Inland Revenue shall have Power to make such Orders for regulating such Ullage as may appear to them to be necessary.

Spirits may be sent out in Casks either full or on Ullage.

XXI. On Payment of the Duty on the full Quantity of Spirits contained in any One or more Casks in any Warehouse, it shall be lawful for the Distiller or Proprietor of such Spirits, under such Rules and Regulations as the Commissioners of Inland Revenue shall make in

Spirits in Warehouse may be racked off into other Casks.

in that Behalf, from Time to Time to rack or draw off such Spirits into any other Cask or Casks, provided that no less Quantity than Ten Gallons shall be racked into any One of such last-mentioned Casks: Provided always, that after the Duty shall have been paid on any such Spirits, and any Portion thereof shall have been racked or drawn off from any Cask, no further Abatement or Allowance for Deficiency shall be made in respect of such Spirits for any further Period the same may remain in such Warehouse.

Warehoused Casks to be numbered progressively.

XXII. Upon the Outside of both of the Heads or Ends of every Cask of Spirits which shall be warehoused by any Distiller under the Provisions of this Act or of any other Act in force in that Behalf there shall be legibly cut, branded, or painted the progressive Number of such Cask, according to the Number of Casks warehoused by such Distiller, and the Year when the same was warehoused, such progressive Numbers for every Distiller to begin with No. 1. on the First Day of *January* in each Year; and no Two or more Casks warehoused in the same Year by the same Distiller shall be marked with the same Number; and it shall be lawful for the proper Officer in charge of any Warehouse to refuse to receive therein any Cask of Spirits not having cut, branded, or painted thereon all the several Particulars by this Act required to be cut, branded, or painted thereon, and in the Manner required by this Act.

Distiller's Warehouse to be on Distillery Premises.

XXIII. No Distiller shall have or use any Warehouse for the warehousing of Spirits without Payment of Duty situated at any other Place than his own entered Distillery Premises, nor until such Warehouse has been approved of by the Commissioners of Inland Revenue; provided that any Distiller may warehouse Spirits in any general Warehouse appointed by the Commissioners of Inland Revenue, and for which Security by Bond shall have been given as directed by the Acts in force in that Behalf.

Commissioners of Inland Revenue empowered to revoke Approval of Warehouses.

XXIV. It shall be lawful for the Commissioners of Inland Revenue and they are hereby empowered to revoke the Approval at any Time heretofore given by the Commissioners of Excise or the Commissioners of Inland Revenue, or which may at any Time hereafter be given by the said last-mentioned Commissioners, of any Warehouse for the warehousing of *British* Spirits under the Provisions of the Laws in force in that Behalf; and after such Revocation no Abatement of Duty or Allowance shall be made in respect of the Spirits which may be contained in such Warehouse at the Time of such Revocation for any Deficiency of the Quantity or Strength of such Spirits which shall be occasioned or which shall occur after Notice of such Revocation shall have been given to the Proprietor of such Warehouse.

XXV. Every

XXV. Every Order made by the Commissioners of Inland Revenue appointing or approving of any general Warehouse or Warehouses for the warehousing of *British* Spirits, and every Order revoking any such Approval, shall be published in the *London Gazette* for such Warehouses as shall be situated in *England* and *Wales*, in the *Edinburgh Gazette* for such Warehouses as shall be situated in *Scotland*, and in the *Dublin Gazette* for such Warehouses as shall be situated in *Ireland*.

Approval of Warehouses, and Revocation thereof, to be published in Gazette.

XXVI. It shall be lawful for any licensed Rectifier of Spirits in *England*, *Scotland*, or *Ireland* to warehouse, for Exportation or for Ships Stores, any Spirits by him rectified from Spirits on which the Duties of Excise shall have been charged and paid in any Customs Warehouse of special Security, or in any Warehouse approved for that Purpose by the Commissioners of Her Majesty's Customs, such Customs Warehouse or other Warehouse being situate within that Part of the United Kingdom in which such Spirits were rectified, although such Spirits may be sweetened or may be Spirits to which any colouring Matter has been added; and the Strength of such sweetened or coloured Spirits as denoted by *Sykes*'s Hydrometer shall be deemed and taken to be the true Strength thereof, anything in the Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twenty-two, to the contrary notwithstanding; provided always, that the Strength of such Spirits before being sweetened or coloured shall not exceed Twenty-five *per Centum* over Proof as denoted by *Sykes*'s Hydrometer; and such sweetened or coloured Spirits shall be subject to all the Rules and Regulations in this or any other Act relating to the Removal and Warehousing of Spirits.

Rectified Spirits may be deposited in Customs Warehouse, although sweetened or coloured.

XXVII. All Casks of Spirits which shall be warehoused under the Provisions of this or any other Act in that Behalf shall be arranged and stowed in the Warehouse in such Manner as that Access may easily be had to every Cask therein; and if any Distiller, or the Proprietor or Occupier of any such Warehouse, shall refuse or omit to cause all such Casks to be so arranged and stowed, he shall for every such Refusal or Omission forfeit the Sum of Five Pounds.

Stowage of Casks in Warehouse to afford easy Access.

XXVIII. Upon all *British* Spirits which shall have been warehoused without Payment of Duty under the Provisions of the Acts in that Behalf, and which shall be in any Warehouse at the Time of the passing of this Act, and also upon all such Spirits which shall at any Time hereafter be so warehoused, the following Abatement in respect of the Deficiencies which may have occurred in such Spirits shall be made on the Quantity of Spirits warehoused on which the Duty is by Law payable, which Abatement shall be made after the several Rates of Allowance following; that is to say,

Allowances for Deficiencies of Spirits in Warehouse.

For

For every One hundred Gallons of such Spirits at Hydrometer Proof, where such Spirits shall have been in Warehouse for any Time not exceeding Seven Days, One Quarter of a Gallon:

For any Time exceeding Seven Days and not exceeding Fourteen Days, One Half of a Gallon:

For any Time exceeding Fourteen Days and not exceeding One Calendar Month, Three Fourths of a Gallon:

For any Time exceeding One Calendar Month and not exceeding Two Calendar Months, One Gallon:

For any Time exceeding Two Calendar Months and not exceeding Three Calendar Months, One Gallon and One Fourth of a Gallon:

For any Time exceeding Three Calendar Months and not exceeding Six Calendar Months, One Gallon and Three Fourths of a Gallon:

For any Time exceeding Six Calendar Months and not exceeding Nine Calendar Months, Two Gallons and One Fourth of a Gallon:

For any Time exceeding Nine Calendar Months and not exceeding Twelve Calendar Months, Two Gallons and Three Fourths of a Gallon:

And for any Time exceeding Twelve Calendar Months, the additional Allowance of Three Quarters of a Gallon for every Six Calendar Months, or any fractional Part of Six Calendar Months above Twelve Calendar Months, or any other Multiple of Six Calendar Months, provided that no Allowance shall be made in respect of any Time that such Spirits may have been in Warehouse beyond the Period of Five Years:

And any Spirits which shall be removed from one Warehouse to another shall, for the Purpose of such Abatement and Allowance as aforesaid, be deemed to have been in Warehouse during the Period occupied by such Removal.

Distillers and Warehouse Keepers, Rectifiers, and Dealers, to keep sufficient Scales, Weights, and Measures for taking account of Spirits.

XXIX. Every Distiller, and every Proprietor of a general Warehouse for warehousing *British* Spirits, under the Provisions of the Laws in force, and every Rectifier of Spirits, and every Dealer therein, shall and is hereby required to provide sufficient and just Scales and Weights and a Set of Standard Measures for the Purpose of weighing, measuring, and taking an Account of the Spirits distilled by such Distiller, or in any such Warehouse, or in the Stock of any such Rectifier or Dealer as aforesaid, and of any Casks or Vessels used for the Purpose of containing Spirits, and such Weights and Measures shall be of such Denominations respectively as the Commissioners of Inland Revenue shall order and require in that Behalf, and such Distiller, Proprietor, Rectifier, and Dealer respectively shall maintain

maintain and keep such Scales and Weights and Measures conveniently placed in his Distillery or Warehouse, and at all Times ready for Use, and shall permit and suffer any Officer or Officers of Excise to use the same for the Purpose aforesaid; and if any Distiller or Proprietor of such Warehouse, or Rectifier, or Dealer in Spirits, shall not provide and keep and maintain such Scales and Weights and Measures as aforesaid, and of such Denominations respectively as the Commissioners of Inland Revenue shall order and require in that Behalf, or if such Distiller, Proprietor, Rectifier, or Dealer shall refuse to permit and suffer any Officer or Officers of Excise to use the same as aforesaid, or if any such Distiller, Proprietor, Rectifier, or Dealer shall use or cause or procure or suffer to be used any false, unjust, or insufficient Scales or Weights or Measures, or shall practise any Art, Device, or Contrivance by which any such Officer or Officers may be hindered or prevented from taking the just and true Weight or Measure of any such Spirits, or any Casks or Vessels used for the Purpose of containing Spirits, then and in every such Case such Distiller, Proprietor, Rectifier, or Dealer shall for every such Offence forfeit the Sum of One hundred Pounds, and all false, unjust, or insufficient Scales or Weights and Measures respectively shall be forfeited, and may be seized by any Officer or Officers of Excise.

Assistance to be given to the Officer in weighing, measuring, &c.

XXX. Every Distiller, and every Proprietor of such general Warehouse as aforesaid, and every Rectifier and Dealer respectively, shall, when and so often as he shall be thereunto required by any Officer of Excise, and with a sufficient Number of Servants, weigh and measure in the Presence of such Officer all or any Spirits, and all or any Casks or Vessels used for keeping, conveying, or removing Spirits, in the Possession of such Distiller, Rectifier, or Dealer, or in any such Warehouse, and aid and assist to the utmost of his Power such Officer in taking an Account thereof, on pain of forfeiting for every Neglect or Refusal so to do the Sum of Fifty Pounds.

Distillers and Proprietors of Warehouses to provide Accommodation for Officers.

XXXI. Every Distiller and every Proprietor of any such Warehouse as aforesaid shall, when and as they shall be respectively required by the Commissioners of Inland Revenue so to do, provide Accommodation at the Distillery Store and at such Warehouse for the Officer in charge thereof respectively to the Satisfaction of the said Commissioners; and every Distiller and Proprietor of such Warehouse respectively who, on being so required to provide such Accommodation as aforesaid, shall refuse or neglect so to do, shall for every such Offence forfeit the Sum of Fifty Pounds.

Commissioners may require

XXXII. It shall be lawful for the Commissioners of Inland Revenue and they are hereby authorized and empowered to require every Distiller

Apparatus to be applied to Spirit Receiver to prevent Fraud.

tiller to erect and apply, at his own Expense, in his Distillery, any Apparatus or Machine which the said Commissioners may think proper for the Purpose of preventing the Supply Pipe and the Discharge Cock of the Spirits Receiver being both open at the same Time; and if such Distiller shall neglect or refuse to provide and apply any such Apparatus or Machine, on being required so to do by the said Commissioners, he shall forfeit the Sum of Two hundred Pounds.

Four Hours Notice to mash, and the like Notice to remove Wash from Fermenting Back, to be sufficient.

XXXIII. It shall be sufficient for any Distiller to give to the proper Officer from Time to Time Four Hours Notice in Writing before beginning to mash or brew or to make Bub, or any other Composition for inducing or increasing Fermentation, and the like Notice before any Wash shall be conveyed from any Fermenting Wash Back in the Distillery, such Notices respectively being given in the Manner and containing the several Particulars prescribed respectively by the several Acts in force in that Behalf, anything in the said Acts requiring a longer Notice for any such Purpose as aforesaid notwithstanding.

Officer may open Stills Four Hours after Declaration delivered to him of the Wash being collected into the Fermenting Backs.

XXXIV. And it shall be lawful for the Officer in charge of any Distillery, and he is hereby authorized and required, at any Time after the Expiration of Four Hours from the Time that a Declaration in Writing shall have been delivered to him as required by the said Acts respectively that the whole of the Wort and Wash in such Distillery is collected into the Fermenting Wash-backs therein, to open any Still or Stills in such Distillery, by removing such Fastenings as prevent such Still or Stills from being used, notwithstanding anything contained in the said Acts of the Fourth and Sixth Years of King *George* the Fourth respectively requiring the Lapse of a longer Period before the opening of any such Still or Stills.

Low Wines distilled from Wash of One Brewing, contained in Two or more Backs, may be mixed.

XXXV. And, notwithstanding anything in the said Acts respectively contained to the contrary, it shall be lawful for any Distiller to collect in the Low Wines Receiver at his Distillery the Low Wines produced by the Distillation of the Wash of the same Brewing contained in all or any of the Fermenting Backs of such Distillery; provided that such Low Wines produced by the Distillation of the Wash of One Brewing shall be kept separate and apart from and unmixed with any Low Wines produced by the Distillation of any Wash of any other Brewing, or with any other Matter or Thing whatever, until an Account of the Quantity and Strength of such Low Wines so collected shall have been taken by the proper Officer; and provided also, that all the Spirits and Feints produced by the Re-distillation of such Low Wines shall be collected in the Spirits and Feints Receivers respectively, and kept therein, separate and apart from and unmixed with any other Matter or Thing, (save as is provided and allowed by the

the said Acts respectively,) until an Account of the Quantity and Strength of such Spirits and Feints respectively shall have been taken by the proper Officer; and for any Neglect or Refusal to keep such Low Wines and Spirits and Feints respectively separate and apart and unmixed as herein directed the Distiller shall forfeit the Sum of Two hundred Pounds.

Distiller may carry on the Trade of a Wholesale Dealer in Spirits within the Distance of Two Miles from his Distillery.

XXXVI. Provided always, That, notwithstanding anything contained in the said Act of the Fourth Year of King *George* the Fourth, Section One hundred and thirty-two, to the contrary, it shall be lawful for any Distiller taking out a proper Licence in that Behalf to carry on the Trade of a Wholesale Dealer in Spirits at a Place within the Distance of Two Miles from the Distillery of such Distiller, provided such Place be approved by the Commissioners of Inland Revenue; but in any Case in which a Distiller shall carry on such Trade of a Wholesale Dealer in Spirits at any Place within the Distance aforesaid from his Distillery no Spirits shall be sold, sent out, delivered, or removed from his Stock, Custody, or Possession, either as a Dealer or a Distiller, without being accompanied by a Permit granted by the proper Officer of Excise, on pain of Forfeiture of such Spirits, and of such Penalty as by the Laws in force is imposed on a Distiller for sending out or removing Spirits without such Permit as aforesaid; and it shall be lawful for any Officer of Excise, although of less Rank than a Supervisor of Excise, to take or cause to be taken an Account of the Quantity of the Spirits in the Stock, Custody, or Possession of such Dealer, anything contained in the Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twenty-one, Section Twenty, to the contrary notwithstanding; and all the Powers, Provisions, and Penalties contained in the said last-mentioned Enactment in relation to any Account taken by any Supervisor of Excise, or other Officer of not less Rank, shall be deemed to apply in relation to the taking of any Account hereby authorized to be taken by an Officer of less Rank than a Supervisor of Excise.

Table in Schedule (C.) annexed to be used in ascertaining the Quantity of Spirits in a Cask by weighing the same.

XXXVII. For the Purpose of ascertaining the Quantity of Spirits contained in any Cask by weighing the same, the Table in Schedule (C.) annexed to this Act shall be referred to and used in connexion with *Sykes*'s Hydrometer, and any Spirits which shall indicate on such Hydrometer any Number in Column (A.) of such Table shall be deemed to be of the Weight *per* Gallon in Pounds and Decimal Parts of a Pound denoted by the Number in Column (B.) of the same Table set opposite to the said Number in Column (A.), and the total net Weight of the Spirits contained in any Cask divided by the said Number in Column (B.) shall be deemed to give the true Quantity

Quantity of Spirits contained in such Cask in Gallons and Decimal Parts of a Gallon.

Mode of determining the original Gravity of Wash.

XXXVIII. And whereas the proper Officer of Excise is authorized by the said Acts respectively of the Fourth and Sixth Years of King *George* the Fourth to take Samples of the Wash from any Wash Back in a Distillery, and to cause such Wash to be distilled as in the said Acts respectively is mentioned: It shall be lawful for such Officer to take such Samples of Wash from the Wash Back or Wash Charger in any Distillery, or from both of such Vessels, as he may think proper; and in order to ascertain and determine the original Gravity of the Worts from which such Wash was made or prepared before Fermentation had taken place in such Worts, a definite Quantity by Measure of such Wash shall be distilled, and the Proportion of Alcohol contained therein ascertained, and the Specific Gravity of such Wash deprived of its Alcohol by such Distillation, and made up with pure Water to its original Measure, shall also be ascertained, and from such Proportion of Alcohol and such Specific Gravity as last aforesaid the original Gravity of the Worts from which such Wash was made before Fermentation shall be computed and determined by means of the Table contained in Schedule (D.) annexed to this Act; and if the original Gravity of such Worts as found and determined in the Manner aforesaid shall exceed by more than Three Degrees the Gravity thereof as declared by the Distiller, pursuant to the said Acts respectively, such Distiller shall forfeit the Sum of Two hundred Pounds, and also the Sum of Sixpence for every Gallon of Wort or Wash contained in the Wash Back or Wash Charger from which such Wash so distilled was taken: Provided always, that such Distiller, or any Person acting on his Behalf, shall and may, if he shall so desire, be present at the Distillation of any such Wash, and at the Performance of any such Process as aforesaid for ascertaining the said original Gravity.

Persons who have made Contracts for the Sale of Spirits may add additional Duties to the Price.

XXXIX. It shall be lawful for every Person who, on or before the said Twenty-first Day of *April* One thousand eight hundred and fifty-three, has sold or made or entered into any Contract or Agreement for the Sale of Spirits on which any additional Duty by this Act imposed will attach, to add so much Money as will be equivalent to such additional Duty to the Price of such Spirits, and such Person shall be entitled by virtue of this Act to be paid and to sue for and recover the same accordingly.

Sect. 79. of 4 G. 4. c. 94., Sect. 88. of 6 G. 4. c. 80.,

XL. The Seventy-ninth Section of the said Act passed in the Fourth Year of King *George* the Fourth, Chapter Ninety-four, and Section Eighty-eight of the said Act of the Sixth Year of the said King,

King, Chapter Eighty, shall be and the same are hereby repealed; and all Clauses, Provisions, and Regulations contained in any Act or Acts that are inconsistent with or are superseded by the Clauses, Provisions, and Regulations of this Act shall, so far and to such Extent as the same are so inconsistent or superseded as aforesaid, be and the same are hereby also repealed, save and except as to any Penalty or Forfeiture which shall have been incurred under the said Sections, Clauses, and Provisions, or any of them.

and all Clauses of Acts inconsistent with or superseded by the Provisions of this Act, repealed.

XLI. The several Provisions of this Act shall commence and take effect at the respective Times herein-after mentioned; (that is to say,) as to the said Duties and Drawbacks by this Act granted and imposed and allowed respectively, from and after the Twenty-first Day of *April* One thousand eight hundred and fifty-three; and as to the said Abatement or Allowance to be made in respect of the Deficiencies in Spirits warehoused, from and after the passing of this Act; and as to all other Provisions contained herein, from and after the Tenth Day of *October* One thousand eight hundred and fifty-three.

Times of Commencement of this Act.

SCHEDULE (A.)

COUNTERVAILING DUTIES.

ARTICLES ENUMERATED. For every Gallon thereof removed	COUNTERVAILING DUTIES. From Scotland to England.			From Ireland to England.			From Ireland to Scotland.		
	£	s.	d.	£	s.	d.	£	s.	d.
Ether	0	7	11	0	11	3	0	3	4
Sweet Spirits of Nitre Camphorated Spirits Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other Ingredients Compound Spirits of Lavender Spirits of Rosemary Spirits of Ammonia Sal Volatile Friar's Balsam Compound Tincture of Benzoin Tincture of Assafœtida Tincture of Castor Tincture of Kino Tincture of Guiacum Tincture of Myrrh Tincture of Ginger Spirit Varnishes	0	4	9	0	6	9	0	2	0
Other Tinctures and Medicated Spirits	0	3	2	0	4	6	0	1	4
Made Wines	0	0	4½	0	0	6½	0	0	2

SCHEDULE (B.)

COUNTERVAILING DRAWBACKS.

ARTICLES ENUMERATED. For every Gallon thereof removed	COUNTERVAILING DRAWBACKS. From England to Scotland.			From England to Ireland.			From Scotland to Ireland.		
	£	s.	d.	£	s.	d.	£	s.	d.
Ether	0	7	11	0	11	3	0	3	4
Sweet Spirits of Nitre Camphorated Spirits Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other Ingredients Compound Spirits of Lavender Spirits of Rosemary Spirits of Ammonia Sal Volatile Friar's Balsam Compound Tincture of Benzoin Tincture of Assafœtida Tincture of Castor Tincture of Kino Tincture of Guiacum Tincture of Myrrh Tincture of Ginger Spirit Varnishes	0	4	9	0	6	9	0	2	0
Other Tinctures and Medicated Spirits	0	3	2	0	4	6	0	1	4
Made Wines	0	0	4½	0	0	6½	0	0	2

SCHEDULE (C.)

A TABLE for determining the WEIGHT per GALLON of SPIRITS by SYKES'S HYDROMETER.

Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.
0	8·154	10	8·323	20	8·495	30	8·670
2	8·157	2	8·326	2	8·498	2	8·674
4	8·161	4	8·330	4	8·502	4	8·677
6	8·164	6	8·333	6	8·505	6	8·681
8	8·168	8	8·337	8	8·509	8	8·684
1	8·171	11	8·340	21	8·512	31	8·688
2	8·174	2	8·343	2	8·516	2	8·692
4	8·178	4	8·347	4	8·519	4	8·695
6	8·181	6	8·350	6	8·523	6	8·699
8	8·185	8	8·354	8	8·526	8	8·702
2	8·188	12	8·357	22	8·530	32	8·706
2	8·191	2	8·361	2	8·533	2	8·709
4	8·195	4	8·364	4	8·537	4	8·713
6	8·198	6	8·368	6	8·540	6	8·716
8	8·202	8	8·371	8	8·544	8	8·720
3	8·205	13	8·375	23	8·547	33	8·723
2	8·208	2	8·378	2	8·551	2	8·727
4	8·212	4	8·382	4	8·554	4	8·730
6	8·215	6	8·385	6	8·558	6	8·734
8	8·219	8	8·389	8	8·561	8	8·737
4	8·222	14	8·392	24	8·565	34	8·741
2	8·225	2	8·395	2	8·568	2	8·745
4	8·229	4	8·399	4	8·572	4	8·748
6	8·232	6	8·402	6	8·575	6	8·752
8	8·236	8	8·406	8	8·579	8	8·755
5	8·239	15	8·409	25	8·582	35	8·759
2	8·242	2	8·412	2	8·586	2	8·763
4	8·245	4	8·416	4	8·589	4	8·766
6	8·249	6	8·419	6	8·593	6	8·770
8	8·252	8	8·423	8	8·596	8	8·773
6	8·255	16	8·426	26	8·600	36	8·777
2	8·258	2	8·429	2	8·603	2	8·781
4	8·262	4	8·433	4	8·607	4	8·784
6	8·265	6	8·436	6	8·610	6	8·788
8	8·269	8	8·440	8	8·614	8	8·791
7	8·272	17	8·443	27	8·617	37	8·795
2	8·275	2	8·446	2	8·620	2	8·799
4	8·279	4	8·450	4	8·624	4	8·802
6	8·282	6	8·453	6	8·628	6	8·806
8	8·286	8	8·457	8	8·631	8	8·809
8	8·289	18	8·460	28	8·635	38	8·813
2	8·292	2	8·464	2	8·639	2	8·817
4	8·296	4	8·467	4	8·642	4	8·820
6	8·299	6	8·471	6	8·646	6	8·824
8	8·303	8	8·474	8	8·649	8	8·827
9	8·306	19	8·478	29	8·653	39	8·831
2	8·309	2	8·481	2	8·656	2	8·835
4	8·313	4	8·485	4	8·660	4	8·838
6	8·316	6	8·488	6	8·663	6	8·842
8	8·320	8	8·492	8	8·667	8	8·845

Excise Duties on Spirits.

Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.
40	8·849	52	9·069	64	9·294	76	9·525
2	8·853	2	9·073	2	9·298	2	9·529
4	8·856	4	9·076	4	9·302	4	9·533
6	8·860	6	9·080	6	9·305	6	9·537
8	8·863	8	9·083	8	9·309	8	9·541
41	8·867	53	9·087	65	9·313	77	9·545
2	8·871	2	9·091	2	9·317	2	9·549
4	8·874	4	9·095	4	9·321	4	9·553
6	8·878	6	9·098	6	9·324	6	9·557
8	8·881	8	9·102	8	9·328	8	9·561
42	8·885	54	9·106	66	9·332	78	9·565
2	8·889	2	9·110	2	9·336	2	9·569
4	8·892	4	9·114	4	9·340	4	9·573
6	8·896	6	9·117	6	9·344	6	9·576
8	8·899	8	9·121	8	9·348	8	9·580
43	8·903	55	9·125	67	9·352	79	9·584
2	8·907	2	9·129	2	9·356	2	9·588
4	8·911	4	9·132	4	9·360	4	9·592
6	8·914	6	9·136	6	9·363	6	9·596
8	8·918	8	9·139	8	9·367	8	9·600
44	8·922	56	9·143	68	9·371	80	9·604
2	8·926	2	9·147	2	9·375	2	9·608
4	8·929	4	9·151	4	9·379	4	9·612
6	8·933	6	9·154	6	9·382	6	9·615
8	8·936	8	9·158	8	9·386	8	9·619
45	8·940	57	9·162	69	9·390	81	9·623
2	8·944	2	9·166	2	9·394	2	9·627
4	8·947	4	9·170	4	9·398	4	9·631
6	8·951	6	9·173	6	9·401	6	9·635
8	8·954	8	9·177	8	9·405	8	9·639
46	8·958	58	9·181	70	9·409	82	9·643
2	8·962	2	9·185	2	9·413	2	9·647
4	8·965	4	9·189	4	9·417	4	9·651
6	8·969	6	9·192	6	9·420	6	9·655
8	8·972	8	9·196	8	9·424	8	9·659
47	8·976	59	9·200	71	9·428	83	9·663
2	8·980	2	9·204	2	9·432	2	9·667
4	8·984	4	9·207	4	9·436	4	9·671
6	8·987	6	9·211	6	9·440	6	9·674
8	8·991	8	9·214	8	9·444	8	9·678
48	8·995	60	9·218	72	9·448	84	9·682
2	8·999	2	9·222	2	9·452	2	9·686
4	9·002	4	9·226	4	9·456	4	9·690
6	9·006	6	9·229	6	9·459	6	9·694
8	9·009	8	9·233	8	9·463	8	9·698
49	9·013	61	9·237	73	9·467	85	9·702
2	9·017	2	9·241	2	9·471	2	9·706
4	9·021	4	9·245	4	9·475	4	9·710
6	9·024	6	9·248	6	9·479	6	9·714
8	9·028	8	9·252	8	9·483	8	9·718
50	9·032	62	9·256	74	9·487	86	9·722
2	9·036	2	9·260	2	9·491	2	9·726
4	9·039	4	9·264	4	9·495	4	9·730
6	9·043	6	9·267	6	9·498	6	9·733
8	9·046	8	9·271	8	9·502	8	9·737
51	9·050	63	9·275	75	9·506	87	9·741
2	9·054	2	9·279	2	9·510	2	9·745
4	9·058	4	9·283	4	9·514	4	9·749
6	9·061	6	9·286	6	9·517	6	9·753
8	9·065	8	9·290	8	9·521	8	9·757

BENGAL SECRETARIAT LIBRARY

Excise Duties on Spirits.

Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.
88	9·761	91	9·820	94	9·880	97	9·942
2	9·765	2	9·824	2	9·884	2	9·946
4	9·769	4	9·828	4	9·888	4	9·950
6	9·773	6	9·832	6	9·892	6	9·955
8	9·777	8	9·836	8	9·896	8	9·959
89	9·781	92	9·840	95	9·900	98	9·963
2	9·785	2	9·844	2	9·904	2	9·967
4	9·789	4	9·848	4	9·908	4	9·972
6	9·792	6	9·852	6	9·913	6	9·976
8	9·796	8	9·856	8	9·917	8	9·981
90	9·800	93	9·860	96	9·921	99	9·985
2	9·804	2	9·864	2	9·925	2	9·989
4	9·808	4	9·868	4	9·929	4	9·994
6	9·812	6	9·872	6	9·934	6	9·998
8	9·816	8	9·876	8	9·938	8	10·003
						100	10·007

SCHEDULE (D.)

A TABLE to be used in determining the original GRAVITY of WASH.

Degrees of Spirit-Indication.	·0	·1	·2	·3	·4	·5	·6	·7	·8	·9
0	—	·3	·6	·9	1·2	1·5	1·8	2·1	2·4	2·7
1	3·0	3·3	3·7	4·1	4·4	4·8	5·1	5·5	5·9	6·2
2	6·6	7·0	7·4	7·8	8·2	8·6	9·0	9·4	9·8	10·2
3	10·7	11·1	11·5	12·0	12·4	12·9	13·3	13·8	14·2	14·7
4	15·1	15·5	16·0	16·4	16·8	17·3	17·7	18·2	18·6	19·1
5	19·5	19·9	20·4	20·9	21·3	21·8	22·2	22·7	23·1	23·6
6	24·1	24·6	25·0	25·5	26·0	26·4	26·9	27·4	27·8	28·3
7	28·8	29·2	29·7	30·2	30·7	31·2	31·7	32·2	32·7	33·2
8	33·7	34·3	34·8	35·4	35·9	36·5	37·0	37·5	38·0	38·6
9	39·1	39·7	40·2	40·7	41·2	41·7	42·2	42·7	43·2	43·7
10	44·2	44·7	45·1	45·6	46·0	46·5	47·0	47·5	48·0	48·5
11	49·0	49·6	50·1	50·6	51·2	51·7	52·2	52·7	53·3	53·8
12	54·3	54·9	55·4	55·9	56·4	56·9	57·4	57·9	58·4	58·9
13	59·4	60·0	60·5	61·1	61·6	62·2	62·7	63·3	63·8	64·3
14	64·8	65·4	65·9	66·5	67·1	67·6	68·2	68·7	69·3	69·9
15	70·5									

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VICTORIÆ REGINÆ.

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Act mentioned: And whereas it is expedient to extend the Benefit of the said recited Provisions of the said first-recited Act to certain Cases of Losses or Damages sustained by Persons by means of certain other unlawful, riotous, or tumultuous Acts herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That —

Damages sustained by means of Offences enumerated in this Act to be recovered by like Proceedings as Damages are recovered under 6 & 7 W. 4. c. 116. and 7 & 8 Vict. c. 106.

I. If any Persons in *Ireland*, unlawfully, riotously, or tumultuously assembled together, shall, at any Time since the First of *June* One thousand eight hundred and fifty-two, have unlawfully, wantonly, or maliciously destroyed, demolished, or partially destroyed or demolished, or otherwise damaged or injured, or shall hereafter unlawfully, wantonly, or maliciously destroy or demolish, or partially destroy or demolish, or otherwise damage or injure, any Dwelling House, Outhouse, Warehouse, Shop, or Building, or any Furniture, Goods, Chattels, or Property therein, or any Goods, Chattels, or Property, or any growing Crop, Produce, or Article of any Person or Persons, wherever situate, all Damages which have heretofore been so sustained, or shall at any Time after the passing of this Act be so sustained, by any Person or Persons, by means of any of such unlawful Acts or Offences as aforesaid, shall and may be recovered by like Applications and Proceedings, and by like Presentments of the Grand Jury of the County, County of a City, or County of a Town, in which any such unlawful Act or Offence shall have been committed, and subject to like Traverses, and subject to like Provisions, and in like Manner in all respects as by the said recited Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, or by the said recited Act of the Seventh and Eighth Years of the Reign of Her present Majesty, respectively, is or are provided in relation to the Application for or Recovery of Compensation for Losses or Damages sustained by any Person or Persons by means of the mischievously or wantonly setting fire to, burning, or destroying any House, Outhouse, or other Building, or any Haggard, Corn, Hay, Straw, or Turf, or the maliciously setting fire to, burning, or sinking any Boat or Barge laden with Corn or other Provisions, or the maliciously killing, maiming, houghing, or injuring any Horse, Mule, Ass, or Swine, or any Horned Cattle or Sheep, or the maliciously damaging, injuring, or destroying any Bank, Gate, Lock, Weir, Sluice, Bridge, Dam, or other Work belonging to any Person, public Canal or Navigation; and the Provisions of the said Two last-mentioned Acts respectively, as the Case may be, shall be accordingly applied for the Recovery of Compensation for Damages sustained by means of any of such unlawful Acts or Offences as are first enumerated in this Act as aforesaid: Provided always,

always, that in the Case of any of such unlawful Acts or Offences committed in the County of the City of *Dublin* Compensation for Damages sustained by any Person or Persons by means thereof shall and may be recovered in like Manner in all respects as by an Act of the Fourth and Fifth Years of the Reign of Her present Majesty, intituled *An Act for extending to the County of the City of* Dublin *the Provisions of an Act passed in the Nineteenth and Twentieth Years of His late Majesty King* George *the Third in* Ireland, *intituled* '*An Act to prevent the detestable Practices of houghing Cattle,* '*burning of Houses, Barns, Haggards, and Corn, and for other* '*Purposes,*' *so far as relates to burning of Houses,* is provided in relation to the malicious burning of Houses, Barns, Haggards, Corn, or other Articles or Effects, but subject to any such Alteration or Amendment of the said last-mentioned Act as has been made by an Act of the Eleventh and Twelfth Years of Her present Majesty, Chapter Ninety-seven.

Compensation for such Offences committed in the City of Dublin may be recovered as under 4 & 5 Vict. c. 10.

II. Provided also, That in case of any such Damages so sustained by any Person or Persons by any of the Means aforesaid since the First Day of *June* One thousand eight hundred and fifty-two, if such Person or Persons shall, before the passing of this Act, have served or posted any Notice or Notices of any Application by him or them for Compensation for such Damages, or have lodged any Application for such Compensation, or have given or caused to be given an Examination on Oath in the Manner respectively directed by the said Act of the Sixth and Seventh Years of King *William* the Fourth, in relation to Applications for Compensation under that Act, the Service or posting of such Notice or Notices, or the Lodgment of such Application so made, and the Examination on Oath so given, shall be deemed to be as valid and effectual for the Purposes of this Act as if the same had been made after the passing of this Act; and all Proceedings already taken towards obtaining Compensation for any such unlawful Acts or Offences as aforesaid, but which at the Time of the passing of this Act shall be incomplete or insufficient by reason of the existing Law not extending to any such unlawful Acts or Offences, shall and may be carried on and completed under the Authority of this Act as if this Act had passed previously to the said First Day of *June* One thousand eight hundred and fifty-two.

In Cases of such Damages already sustained, Notices, &c. of applying for Compensation, if served before passing of Act, to be as valid as if served after passing of Act.

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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CAP. XXXIX.

An Act to repeal the Duties, Allowances, and Drawbacks of Excise on Soap. [8th *July* 1853.]

WHEREAS it is expedient to repeal the Duties, Allowances, and Drawbacks of Excise on Soap: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: All Duties of Excise on Soap made in *Great Britain*, and on Soap brought from *Ireland* into *Great Britain*, and all Allowances in respect of the said Duties, and all Drawbacks of Excise on Soap exported to Foreign Parts, or removed from *Great Britain* into *Ireland*, and also all Enactments, Clauses, Provisions, Regulations, and Penalties for levying, collecting, and securing the said Duties, and paying the said Allowances and Drawbacks, and for preventing Frauds in relation thereto, shall respectively cease and determine, and shall be and the same are hereby repealed, from and after the respective Times herein-after mentioned; (that is to say,) as to the said Duties on Soap made in *Great Britain*, and as to all such Allowances and Drawbacks as aforesaid, from and after the Fifth Day of *July* One thousand eight hundred and fifty-three, and as to the said Duties on Soap brought from *Ireland* into *Great Britain* from and after the Fifth Day of *July* One thousand eight hundred and fifty-

Duties, Allowances, and Drawbacks of Excise on Soap repealed.

fifty-four; save and except as to any of the said Duties which shall have been charged on or before the respective Times aforesaid, and any Arrear thereof, and as to all Allowances on any Soap which on or before the said Fifth Day of *July* One thousand eight hundred and fifty-three shall have been used in any Manufactures in respect whereof any Allowance of the said Duties is by Law granted and payable, and also as to any Drawback which shall be payable in respect of the Exportation or Removal of any Soap on or before the said last-mentioned Day, and also as to all Fines, Penalties, and Forfeitures incurred in respect of the said Duties, Allowances, and Drawbacks respectively, or in relation thereto, all which said Duties, Allowances, Drawbacks, Fines, Penalties, and Forfeitures so excepted as aforesaid shall respectively be sued for, recovered, levied, paid, and applied in the same Manner as if this Act had not been passed.

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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CAP. XL.

An Act for altering the Mode of Repayment of Advances by the Public Works Loan Commissioners under the Public Health Act, 1848, and other Acts. [8th *July* 1853.]

WHEREAS by the One hundred and thirteenth Section of the Public Health Act, 1848, it was enacted, that the Interest secured by any Mortgage authorized to be made under that Act should, unless otherwise provided, be paid half-yearly; and in order to pay off any Monies borrowed and secured by any such Mortgage, the Local Board of Health should in every Year, until the same should be paid off, appropriate and set apart as a Sinking Fund such Sum as, together with the Interest from Time to Time to accrue thereon, would in the Period of Thirty Years amount to a Sum sufficient to repay the Monies borrowed and secured by any such Mortgage, and should from Time to Time cause such Sinking Fund and the Interest thereon to be invested in the Purchase of Exchequer Bills or other Government Securities, and to be increased by Accumulation in the way of Compound Interest or otherwise; and whenever the said Local Board should be enabled to pay off One or more of the Mortgages charged upon the same Property or Rate, and should not be able to pay off the whole of the Mortgages so charged, they should, in

11 & 12 Vict. c. 63.

in default of Arrangement between the Local Board of Health and the Mortgagees, decide by Lot the Order in which the same should be paid off: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Advances by Public Works Loan Commissioners to be repaid by Instalments within Twenty Years, instead of by a Sinking Fund in Thirty Years.

57 G. 3. c. 34.

I. Notwithstanding the said One hundred and thirteenth Section of the said Act, or any other Provisions therein, any Monies thereby authorized to be borrowed and secured by way of Mortgage may be borrowed from the Commissioners acting in execution of an Act passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to authorize the Issue of Exchequer Bills and the Advance of Money out of the Consolidated Fund to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in* Great Britain, *in manner therein mentioned*, and in execution of any Act or Acts for amending or continuing the same Act or Acts or any of them; and on any such Loan by the said Commissioners called "The Public Works Loan Commissioners" the Repayment of the Monies borrowed, with Interest thereon, shall be secured so as that the same, with the Interest thereon, shall be fully repaid by Instalments within the Period of Twenty Years from the advancing thereof, instead of by forming such accumulating Fund for the Payment of Monies borrowed as by the said Act is provided; and all the Powers and Provisions in the said Act contained for raising Rates for the forming a Fund for the Repayment of Monies to be borrowed under the Provisions of the said Act shall apply and extend to the raising and paying any Monies which may be borrowed of the said Public Works Loan Commissioners, and the Interest thereon.

Securities for Advances to be taken under the Powers of Public Works Loan Acts.

II. In all Cases of Loans under the Public Health Act, 1848, and in all other Cases where any Loans or Advances shall hereafter be made or have already been made by the said Public Works Loan Commissioners to any Persons or Bodies having Power to borrow the same, or to any Persons or Bodies to whom the said Commissioners were, are, or shall be authorized or directed to lend any Monies under the Provisions of any Act or Acts whatsoever, then, notwithstanding the Provisions of the Public Health Act, 1848, or of any local or other Act, to the contrary, all Loans or Advances made or to be made shall be taken to have been made or to be made by the Public Works Loan Commissioners under the Provisions of the several Acts in force authorizing Loans by the said Public Works Loan Commissioners; and the Securities for such Loans shall be taken to have been made, and

and shall have such Priorities, and shall be subject to the same Powers, Authorities, and Remedies in all respects whatsoever, as if such Loans, Advances, and Securities had been made under the Authority of the several Acts in force relating to Loans to be made by the Public Works Loan Commissioners, and notwithstanding any Provision in any other Act now passed or to be passed contained as regards the Priorities or Mode of Payment of any Monies authorized or directed by any such Act to be borrowed, except so far as the same may by any such Act be altered, varied, or repealed by express Reference to this Act.

Loans may be advanced at a lower Rate of Interest than Five per Cent.

III. From and after the passing of this Act, it shall be lawful for the said Public Works Loan Commissioners and they are hereby authorized to make Advances at such Rate of Interest as they in their Discretion may think fit, not being less than the Rate of Three Pounds Ten Shillings *per Centum per Annum*, except that in case at the Time at which the said Commissioners shall resolve to make any Loan it shall appear that the Rate of Interest to be produced by an Investment in the Purchase of the Stock called the Three *per Centum* Consolidated Bank Annuities would be above Three Pounds Ten Shillings *per Centum per Annum*, then no such Loan shall be granted at a Rate of Interest less than the Rate which would be produced by an Investment in the Purchase of the said Stock; and such Rate of Interest for the Purpose aforesaid shall be ascertained by the said Commissioners by the average Price of such Stock on the Day before the resolving to make such Loan, if the Transfer Books shall on that Day be open, if not, then by the average Price of such Stock on the Day next before the closing of such Transfer Books; provided that if the Rate of Interest upon any Advances to be made by the said Commissioners be less than the Rate which by the Act or Acts herein-before recited or referred to the said Commissioners are now authorized or required to take, or in case any Loan the Interest whereof is so as aforesaid to be regulated by the Price of such Stock, then the Consent of the Commissioners of Her Majesty's Treasury for the Time being shall be obtained previously to resolving to make such Loan.

Powers of Treasury to reduce Interest not to be affected.

IV. Nothing in this Act contained shall extend or be deemed or construed to extend to alter, lessen, or abridge the Powers given to or vested in the Commissioners of Her Majesty's Treasury to reduce the Rate of Interest on any Loan advanced or to be advanced by the said Public Works Loan Commissioners, in the Manner and under the Circumstances in any of the Acts herein-before referred to particularly stated or mentioned.

V. In

Short Title.

V. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The Public Works Loan Act, 1853."

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Local Authority may refuse to register Houses, if Keepers do not produce Certificate of Character.

IV. The local Authority may refuse to register as the Keeper of a Common Lodging House a Person who does not produce to the local Authority a Certificate of Character in such Form as the local Authority shall direct, signed by Three Inhabitant Householders of the Parish respectively rated to the Relief of the Poor of the Parish within which the Lodging House is situate for Property of the yearly rateable Value of Six Pounds or upwards.

Evidence of Register.

V. A Copy of an Entry made in a Register kept under the recited Act, certified by the Person having the Charge of the Register to be a true Copy, shall be received in all Courts and before all Justices and on all Occasions whatsoever as Evidence, and be sufficient Proof of all Things therein registered, without Production of the Register or of any Document, Act, or Thing on which the Entry is founded; and every Person applying at a reasonable Time shall be furnished gratis by the Person having such Charge with a certified Copy of any such Entry.

Power to Local Authority to require an additional Supply of Water to Common Lodging Houses.

VI. Where it appears to the local Authority that a Common Lodging House is without a proper Supply of Water for the Use of the Lodgers, and that such a Supply can be furnished thereto at a reasonable Rate, the local Authority may by Notice in Writing require the Owner or Keeper of the Common Lodging House, within a Time specified therein, to obtain such Supply, and to do all Works necessary for that Purpose; and if the Notice be not complied with accordingly, the local Authority may remove the Common Lodging House from the Register until it be complied with.

As to Removal of sick Persons from Common Lodging Houses to Hospitals, &c.

VII. When a Person in a Common Lodging House is ill of Fever or any infectious or contagious Disease the local Authority may cause such Person to be removed to an Hospital or Infirmary, with the Consent of the Authorities thereof, and on the Certificate of the Medical Officer of the Parish, Place, or District that the Disease is infectious or contagious, and that the Patient may be safely removed, and may, so far as the local Authority think requisite for preventing the Spread of Disease, cause any Clothes or Bedding used by such Person to be disinfected or destroyed, and may, if the local Authority think fit, award to the Owners of the Clothes and Bedding so disinfected or destroyed reasonable Compensation for the Injury or Destruction thereof, and such Compensation shall be paid to such Owners by the proper Officer of the Parish or Union in which the Common Lodging House is situate, out of the Rates applicable to the Relief of the Poor of such Parish, the Amount of such Compensation being first certified in Writing upon a List of such Articles.

Power to order Reports from Keepers of Common

VIII. The Keeper of a Common Lodging House in which Beggars or Vagrants are received to lodge, or other Person having the Care or Management thereof, shall from Time to Time, if required by any Order of the local Authority served on such Keeper or Person, report

report to the local Authority, or to such Person or Persons as the said local Authority shall direct, every Person who resorted to such House during the preceding Day or Night, and for that Purpose Schedules shall be furnished by the local Authority to the Persons so ordered to report, which Schedules they shall fill up with the Information required, and transmit to the local Authority.

Lodging Houses kept for Beggars and Vagrants.

IX. The Town Council, Trustees, Commissioners, Guardians, and other Officers and Boards specified in the First Section of the "Nuisances Removal and Diseases Prevention Act, 1848," shall, on the Receipt of a Certificate of any Police Constable or of any Officer appointed for the Inspection of Common Lodging Houses by the local Authority, stating the Existence in or about any Common Lodging House of any of the Causes of Complaint specified in that Section, take all such Proceedings as by that Section are required to be taken by the Town Council, Trustees, Commissioners, Guardians, and other Officers and Boards specified therein on a Notice signed by Two Inhabitant Householders, and in like Manner as nearly as may be as if such Notice had been given; and the local Authority shall have the like Powers, and shall take all such Proceedings, on Receipt of any such Certificate of the Existence of any such Cause of Complaint, as the Town Council, Trustees, Commissioners, Guardians, and other Officers or Boards have and are empowered and required to take under the Provisions of that Act.

Power to Town Councils, &c. to remove Causes of Complaint certified under Nuisances Removal, &c. Act.

X. Provided always, notwithstanding any Provision contained in this Act, That within the City of *Oxford*, or the Parts within the Jurisdiction of the Commissioners for amending certain Mileways leading to *Oxford*, and making Improvements in the University and City of *Oxford*, the Suburbs thereof, and the adjoining Parish of *Saint Clement*, (which Commissioners are herein-after called the *Oxford* Commissioners,) the several Powers and Duties assigned by this Act to any local Authority shall, in so far as they are consistent with the Laws under which the said *Oxford* Commissioners act, be exercised by the said *Oxford* Commissioners; and within the Borough of *Cambridge*, or the Parts within the Jurisdiction of the Commissioners acting under an Act of the Thirty-fourth Year of the Reign of King *George* the Third, for amending and enlarging the Powers of a former Act of the same Reign, for the better paving, cleansing, and lighting the Town of *Cambridge*, for removing and preventing Obstructions and Annoyances, and for widening the Streets, Lanes, and other Passages within that Town, (which Commissioners are herein-after called the *Cambridge* Commissioners,) the several Powers and Duties aforesaid shall, in so far as they are consistent with the Laws under which the said *Cambridge* Commissioners act, be exercised by the *Cambridge* Commissioners.

The Oxford Commissioners and the Cambridge Commissioners to act as the local Authority under this Act.

XI. The

As to Offences against this Act.

XI. The Fourteenth Section of the recited Act extends to Offences against any of the Provisions of this Act, so as to render the Offenders liable to the Penalties therein expressed, and any Person convicted of any Offence against the recited Act and this Act, or either of them, may, in default of Payment of the Penalty imposed, be imprisoned for any Term not exceeding Three Months in the Manner provided by Law in that Behalf.

Conviction for Third Offence to disqualify Persons from keeping Common Lodging House.

XII. Where a Keeper of a Common Lodging House, or a Person having or acting in the Care or Management of a Common Lodging House, is convicted of a Third Offence against the recited Act and this Act, or either of them, the Justices before whom the Conviction for such Third Offence takes place may, if they think fit, adjudge that he shall not at any Time within Five Years after the Conviction, or within such shorter Period after the Conviction as the Justices think fit, keep or have or act in the Care or Management of a Common Lodging House without the previous Licence in Writing of the local Authority, which Licence the local Authority may withhold or may grant on such Terms and Conditions as they think fit.

Acts may be executed by Justices at Petty Sessions.

XIII. In a Case in which there are not Petty Sessions for a Place fifthly mentioned in Section Three of the recited Act, that Act and this Act may be executed within and for all and any Part of such Place by the Justices of the Peace acting in Petty Sessions in the Petty Sessional Division within which such Place is comprised.

As to expenses of executing Act by Justices.

XIV. Where in any Place the recited Act and this Act are executed by Justices in Petty Sessions, the Expenses of and incident to the executing of the recited Act and this Act with respect to such Petty Sessional Division shall be borne by and paid out of the Rates for the Relief of the Poor of the several Parishes or other Places comprised therein in which any Common Lodging House is situate (except so far as there are other Monies applicable to the Purpose), and the Amount of such Expenses shall be ascertained and apportioned by such Justices, and shall be paid accordingly as they order.

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"growing or to grow in the said Coppices, Woods, Underwoods, "and Woodlands, to be reserved and left on the same for Stadles or "Samplers, and which shall seem most fit and proper according to the "Form in the Statute in that Case made and provided, and also all the "fairest Stadles or Samplers of Oak, Ash, Elm, or Beech in or upon "the said Coppices, Woods, Underwoods, and Woodlands, growing, "coming, happening, or arising, and also excepting and reserving all "Herbage and Pannage of the same:" And whereas the said Duke of *Grafton*, under and by virtue of certain Letters Patent of His said late Majesty King *Charles*, made in the Thirty-second Year of His Reign, and of certain other Letters Patent of Her late Majesty Queen *Anne*, made in the Eleventh Year of Her Reign, or One of them, is or claims to be entitled to hold and enjoy the Office of Warden, Master Forester or Ranger, and Master of the Game of the said Forest, with the Right of appointing a Deputy Forester and all the Under Foresters and Page Keepers, and at pleasure to remove them and appoint others, with certain Emoluments and annual Payments, and with the other Rights, Emoluments, and Privileges to the said Office belonging, and in virtue of such Office or Offices also claims to have Possession of the chief Lodge of the said Forest called *Wakefield Lodge*, and also of the Lodge called *Sholbrook Lodge*, with the Gardens, Pleasure Grounds, and inclosed Meadow Lands, with the Pasture for Cattle in common with the Deer in certain inclosed Lawns called *Wakefield* and *Sholbrook* Lawns: And whereas there are certain other Lodges for Keepers and other Officers of the said Forest, with Lands inclosed therewith: And whereas the said Forest might be made much more valuable and productive if it were disafforested and the Deer removed therefrom: And whereas Her Majesty has been graciously pleased to signify Her Consent that the said Forest of *Whittlewood* otherwise *Whittlebury* should be disafforested, and the Royal Deer therein removed or destroyed with all convenient Speed, and that the Officers of Her Majesty of and for the said Forest should be discharged, and that such Allotment should be made to Her Majesty in respect of Her Forestal and other Estate, Rights, and Interests, except Rights of Common (if any) as a Proprietor of Lands entitled to such Rights of Common, in and over the said Forest, as is herein-after provided, and that such Allotment or Allotments and Compensation should be made to the said Duke of *Grafton* in respect of all his Rights as Warden, Master Forester or Ranger, and Master of the Game of the said Forest, and in respect of his Rights and Interests in the Coppices of the said Forest, and all other his Rights and Interests under or by virtue of the said recited Letters Patent, or any of them, and such Compensation to the other Officers of the said Forest as herein-after is also provided; and that such Allotment should be made for the exclusive Common of Pasture of the several Persons entitled to Rights of Common of Pasture over the Portions of the said Forest subject to such Rights, and that such Allotment or Compensation should be made for any other Rights to which any Person or Persons are or may be entitled in, over, or in respect of the said Forest, as is herein-

herein-after provided: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Commissioners to be appointed for the Purposes of the Act; One by the Commissioners of the Treasury, One by the Inclosure Commissioners, and the Third by the Chief Justice of the Court of Queen's Bench.

I. The Provisions of this Act (subject to the Provision herein-after contained with respect to the said Duke of *Grafton*) shall be carried into execution by Three Commissioners, of whom One shall be appointed in Writing by the Commissioners for the Time being of Her Majesty's Treasury, One other shall be appointed by the Inclosure Commissioners for *England* and *Wales* for the Time being, and the Third shall be appointed by the Lord Chief Justice of the Court of Queen's Bench for the Time being; and so often as any Vacancy shall occur by Death, Resignation, or Incapacity, a new Commissioner shall be appointed in like Manner as the Commissioner whose Vacancy is to be supplied was appointed; and all such Commissioners so appointed shall for the Time being be the Commissioners for carrying this Act into execution, herein-after designated as "The Commissioners of this Act;" and all Acts and Powers to be performed by or given to the Commissioners of this Act under the Provisions herein contained may be performed or exercised by any Two of such Commissioners.

Commissioners to make and subscribe Declaration before entering upon Execution of Office.

II. Every Commissioner shall before he enter upon the Execution of his Office make and subscribe the following Declaration before One of the Judges of Her Majesty's Court of Queen's Bench or Common Pleas, or One of the Barons of the Court of Exchequer; that is to say,

'I DO solemnly declare, That I will faithfully, impartially, and 'honestly, according to the best of my Skill and Judgment, 'execute the Powers and Duties of a Commissioner under an Act 'passed in the Seventeenth Year of the Reign of Queen Victoria, 'intituled "An Act, *&c.* [*here set forth the Title of this Act*]".'

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Enrolments.

Commissioners may appoint a Clerk, and employ Land Surveyors and Valuers.

Land Surveyor to make and subscribe Declaration before entering upon Execution of Office.

III. It shall be lawful for the Commissioners of this Act from Time to Time to appoint a Clerk, and, if they shall think fit, to remove such Clerk, and on any Vacancy to appoint another Clerk, and also to employ from Time to Time One or more Land Surveyors and Valuers in such Manner as they shall think necessary; and every Land Surveyor and Valuer so to be appointed shall before entering upon the Duties of his Office make and subscribe before the Commissioners of this Act, or before One of such Commissioners, (who are hereby severally authorized to administer or receive the same,) the Declaration following:

'I *A.B.* do solemnly declare, That I will faithfully, impartially, and 'honestly, according to the best of my Skill and Judgment,

'perform

'perform all the Duties which may devolve upon me as a Land Surveyor and Valuer in the Matter of an Act passed in the Seventeenth Year of the Reign of Queen Victoria, intituled "An Act, *&c.* [*here set forth the Title of this Act*]".'

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Enrolments.

Commissioners of Woods, out of the Land Revenues of the Crown, (subject to Repayment,) to pay the Commissioners and their Clerk, and the Expenses incurred by them in the Performance of their Duties.

IV. The Commissioners of Woods, Forests, and Land Revenues, with the Consent of the Commissioners of Her Majesty's Treasury, shall, out of the Land Revenues of the Crown, subject to Repayment as herein-after mentioned, pay and allow to the Commissioners of this Act such Sum, not exceeding the Sum of One thousand Pounds, as shall be thought sufficient and in proportion to the Time and Labour which may be bestowed by them respectively in carrying this Act into execution (such Proportion, in the event of any Difference of Opinion with regard thereto, to be finally determined by the Commissioners of Her Majesty's Treasury), and to the Clerk of the Commissioners of this Act for the Time being such Salary, not exceeding Two hundred Pounds a Year, as shall be considered sufficient, and also shall allow to the Commissioners of this Act and Clerk all Costs and Expenses of employing such One or more Land Surveyors and Valuers as aforesaid, and all other reasonable Expenses incurred by them in the Performance of their Duties under this Act.

Commissioners to ascertain the Boundaries of the Forest.

V. The Commissioners of this Act shall forthwith proceed to ascertain the Boundaries of the said Forest, and to determine all Claims relating thereto, and for the Purpose of determining the said Boundaries shall or may make use of any existing Maps, Plans, or Surveys, at their Discretion; and the Boundaries, as ascertained by the Commissioners of this Act, shall be held to be the true Boundaries of the said Forest for all the Purposes of this Act.

Commissioners to set out and award a Common Field or Common Fields for Common of Pasture.

VI. The Commissioners of this Act, so soon as they shall have ascertained the aforesaid Boundaries, shall proceed to ascertain how much of the Lands of the said Forest ought to be set apart for the exclusive Pasturage of the Commonable Cattle of all Persons having Rights of Common of Pasture over the Portions of the said Forest subject to such Rights, and shall by their Award allot and set out as and for a Common Field or Common Fields so much of the Lands in the said Forest as they shall find sufficient to afford an adequate Compensation for such Rights of Common as aforesaid, and, if and so far as they shall find it expedient so to do, shall allot distinct Commons for different Parishes, Districts, or Places, and, subject thereto, the Soil and Freehold of such Commons shall be vested in the Right Honourable *Charles* Lord *Southampton* and the Right Honourable *Augustus Charles Lennox Fitzroy* commonly called Lord *Augustus Charles Lennox Fitzroy*, and their Heirs and Assigns, in trust for all Persons having such Rights of Common

as

as aforesaid, until any Inclosure or Subdivision of such Common Field or Common Fields shall be legally made amongst such Persons; and upon the Confirmation of any Award upon any such Subdivision and Inclosure the Soil and Freehold of the said several Allotments which shall be thereupon made shall vest in the several Persons to whom such Allotments shall be made, upon and for such and the same Estates, Uses, Trusts, and Interests in all respects upon and for which the Rights of Common in respect of which such Allotments shall be made as aforesaid are held by or vested in such Persons.

On making of Award, the Forest to be disafforested, and Forestal Rights of Her Majesty to cease.

VII. On the making of such Award as herein directed the said Forest shall be for ever disafforested, and the Right of Her Majesty to Herbage and Feed for Deer, and all other the Forestal Rights of Her Majesty in or over the Parts of the said Forest so to be allotted for such Common Field or Common Fields as aforesaid, shall absolutely cease, except as to Her Rights, if any, as Owner of Lands entitled to Rights of Common over the said Forest.

Commissioners of Woods to remove Deer within Two Years from the passing of the Act.

VIII. The Commissioners of Woods or other the proper Officer or Officers of Her Majesty of or for the said Forest shall with all convenient Speed, and within Two Years from the passing of this Act, under the Direction of Her Majesty, Her Heirs or Successors, remove or destroy or cause to be removed or destroyed all the Deer within the said Forest, and apply and dispose of the same as Her Majesty, Her Heirs or Successors, shall direct.

Commissioners of Woods, within Two Years from the Award, to remove such Timber, &c. from Common Fields as they think fit.

IX. It shall be lawful for the Commissioners of Woods, on behalf of Her Majesty, with all convenient Speed, and within Two Years from the making of such Award, to cut down, sell, and remove, or cause to be cut down, sold, and removed, from the said Common Field or Fields, and from such Portion of the said Forest as may be sold by the Commissioners of this Act for the Purposes herein-after mentioned, all such Timber and other Trees, and Saplings likely to become Timber, growing thereon, as they shall think fit.

Commissioners of Act, in allotting Common Fields, to consider Advantages derived by Commoners.

X. The Commissioners of this Act, in ascertaining the Extent proper to be allotted as such Common Field or Common Fields as aforesaid, shall take into consideration the Advantage which will be derived by the Commoners aforesaid from the Extinction of Her Majesty's Forestal Rights and the Rights of the Officers of the said Forest, and from the Removal of the said Deer from the said Forest.

For the Purpose of such Allotment, Her Majesty to be considered as representing Rights of Warden

XI. For the Purpose of such Allotment thereof as aforesaid as between Her Majesty and the Commoners, Her Majesty shall be considered as having and representing all the Rights and Privileges of the said Duke of *Grafton* under the said recited Letters Patent as aforesaid, and of all other the Officers of the said Forest, and of all other Persons entitled to Rights and Privileges (other than Common Rights) over

and Forest Officers.

over the said Forest, by this Act directed to be extinguished and destroyed, which Rights and Privileges shall be taken into consideration by the Commissioners of this Act in the same Manner as if the same had been vested in possession in and in the actual Enjoyment of Her Majesty, and all such Rights and Privileges, as well as all other the Rights and Privileges of Her Majesty, shall be taken into consideration by the said Commissioners in ascertaining the Extent of such Common Field or Common Fields, and so that the Residue of such Forest to be allotted to Her Majesty shall be a just and fair Compensation and Equivalent for and for the Extinguishment of such Rights and Privileges.

Her Majesty and all Persons Owners of existing Rights of Common of Pasture to have same Rights over the Common Fields.

XII. And with respect to the Part or Parts so to be allotted as and for such Common Field or Common Fields as aforesaid by Her Majesty, Her Heirs and Successors, and all other Persons the Owners of any Lands in respect of which any Right of Common of Pasture (other than Deer Feed) now exists in and over the said Forest, their Tenants and Occupiers, shall have the like Right of Common of Pasture other than Deer Feed over the said Common Field or Common Fields so to be allotted as aforesaid; and the said Common Field or Common Fields when allotted as aforesaid shall be freed and discharged from all Rights of Herbage and Feed for Deer, and from all other the Forestal Rights of Her Majesty, and from all Rights of the Officers of the said Forest and of the said Duke of *Grafton*, other than his Rights as a Commoner.

Commissioners to set out Roads.

XIII. The Commissioners of this Act shall set out and allot such Roads and Ways through and over the said Forest, and, with the Consent of the Owners, through and over any inclosed Lands adjoining thereto, as they shall think fit, and such Roads and Ways shall be public Highways, and kept and maintained as such, and after setting out the same all other existing Roads or Ways over the Forest shall be shut up and discontinued.

Roads to be made and Expense thereof to be defrayed by the Sale of Land.

XIV. The Commissioners of this Act shall cause the said Roads when so set out and allotted to be made and fenced, and shall, for the Purpose of defraying the Expense thereof, sell so much of the said Forest as they shall find necessary for those Purposes, for which Purposes their Conveyance shall vest an indefeasible Estate of Inheritance in the Purchaser or Purchasers, and their Receipt shall be a sufficient Discharge for the Purchase Monies.

Allotments out of Residue to Warden in respect of his Rights.

XV. And with respect to the Residue of the said Forest, the Commissioners of this Act shall by their Award allot thereout to the said Duke of *Grafton* the Chief Lodge called *Wakefield Lodge*, with the Gardens, Pleasure Grounds, inclosed Meadow Lands, and Lawns hitherto possessed therewith, and the Head Keeper's Lodge, and the Close called *Rushmore Close* possessed therewith, together with *Steer Copse* and the Piece of Land covered with Water on the North Side thereof,

thereof, the *Hay Mead*, and the Southern Division of *South Water Slade Copse* lying on the East Side of *Hay Mead* aforesaid, together with such further Portion of the said Forest adjoining or near thereto as shall in their Judgment be a sufficient Compensation to the said Duke of *Grafton* for all his Rights, Emoluments, and Privileges as Warden, Master Forester or Ranger, and Master of the Game in the said Forest, and for his Right and Interest in the Coppices of the said Forest, and the Underwood and Bushes in the same, and for his Right of appointing the Deputy Forester and other Under Foresters and Page Keepers, and all other his Rights and Privileges, if any, under the said herein-before recited Letters Patent or any of them; and the said Lodge, with the Appurtenances, and such other Allotment or Allotments as aforesaid, shall, upon the same being made, become the absolute and exclusive Property of the said Duke of *Grafton*, and shall be held and enjoyed freed and discharged from all Rights and Claims whatsoever of Her Majesty, Her Heirs and Successors, and of all other Persons whomsoever, in or over the same, and the same shall be vested in and held by him in the same Manner and for the same Estate Tail, and with the same Reversion in the Crown, as if the same were held under the said first-mentioned Letters Patent; and in ascertaining the Extent of the Allotment so to be made to the said Duke of *Grafton* the Commissioners of this Act shall take into consideration the Value of the Timber and other Trees, and Saplings likely to become Timber, left thereon, as well as the Extinction of Her Majesty's Forestal and other Rights in and over the same; and the said Allotment or Allotments shall be taken and be in full Discharge and Compensation of and for all Rights of the said Duke of *Grafton* in or in respect of the said Forest or any Forestal Office whatsoever: Provided always, that nothing herein-before contained shall affect the Rights of the said Duke of *Grafton* as a Commoner upon or over the said Common Field or Common Fields when so allotted and set out as herein-before directed.

Duke of Grafton or any other Proprietor may charge Allotments towards the Expense of fencing.

XVI. It shall be lawful for the said Duke of *Grafton*, or for any other Person who may be or become a Proprietor of any Allotment or Allotments to be made by virtue of this Act, being Tenant for Life or in Tail, or for any other Estate of Freehold or Inheritance, (with the Consent of the Commissioners of this Act, testified in Writing under their Hands and Seals,) from Time to Time to charge as well such Allotment or Allotments as also any other Lands now being Parcel of the said Forest to which the said Duke of *Grafton*, or any such other Person as aforesaid, may become entitled by Purchase or Exchange for any such Estate as aforesaid, with any Money not exceeding Five Pounds *per* Acre towards the Expenses of fencing and subdividing such Allotment or Allotments and other Lands, and for securing the Repayment of such Money, with Interest, to mortgage or demise the said Allotment or Allotments and other Lands unto or in trust for any Person who shall advance such Money for any Term of Years, but so that every such Mortgage or Demise be made with a Condition

a Condition to cease and be void, or with an express Trust to be surrendered or re-assigned, when the Money thereby to be secured, with all Interest thereon, shall have been fully paid and satisfied, and so that in every such Mortgage or Demise which shall be made by any Person entitled for Life there be contained a Covenant to pay and keep down the Interest of the Money to be secured during his Life, in such Manner that no Person afterwards becoming possessed of such Lands shall be subject or liable to pay any larger Arrears of Interest than for Six Months previous to the Time when the Title of such Person shall accrue or commence; and every such Mortgage or Demise shall be valid in the Law for the Purposes thereby intended; and every such Mortgagee and his Assigns shall have the like Remedies in case of Nonpayment of the Monies thereby secured as in the Case of other Mortgages of the like Nature.

Power to Duke of Grafton, for the Purpose of this Allotment, to appoint a Commissioner to act in the Place of the Commissioner appointed by Inclosure Commissioners.

XVII. For the Purpose of making such Allotment or Allotments to the said Duke of *Grafton*, it shall be lawful for him, if he shall think fit, under his Hand, to appoint a Commissioner in the Place of the Commissioner so to be appointed by the said Inclosure Commissioners as aforesaid, and in case of Vacancy in the Office of the Commissioner so appointed by him to appoint another Commissioner to supply such Vacancy, and so from Time to Time as there shall be Occasion; and the Commissioner so to be appointed shall act in the Execution of this Act, so far as relates to such Allotment or Allotments to the said Duke of *Grafton*, in all respects with the same Powers and be entitled to the like Emoluments as if he had been appointed by the said Inclosure Commissioners.

Compensation in Land or Money to be made to all other Persons (if any) injuriously affected by the Act.

XVIII. If it shall appear to the Commissioners of this Act that there are or is any other Persons or Person whose Rights (other than the Rights of Forestal Officers as such) will be injuriously affected by the Operation of this Act, the Commissioners of this Act shall ascertain the Nature of their or his Rights, and of the Injury done thereto, and shall determine whether such Injury can be more conveniently and adequately compensated by an Allotment of Land out of the said Forest, or by a pecuniary Compensation, and such Determination shall be final; and in case they shall determine in favour of a Compensation by way of Allotment to any such Person, they shall forthwith allot so much of that Portion of the said Forest which under the Provisions of this Act shall not have been otherwise allotted as to the Commissioners of this Act shall appear a reasonable and sufficient Compensation; and if the Commissioners of this Act shall determine in favour of a pecuniary Compensation, then they shall ascertain the proper Amount thereof, and the Persons or Person to whom the same shall be paid, and shall certify the same to the Commissioners of Woods, who shall pay the same out of the Land Revenues of the Crown, and in such Case the Commissioners of this Act shall take the same into consideration in making the Allotments hereby directed.

XIX. All

Whittlewood otherwise Whittlebury Forest.

Allotments to be held to the same Uses as the Estate in respect of which the same are made.

XIX. All Allotments and Compensation shall enure and be held to the same Uses and upon the same Trusts as the Estates in respect of which the same shall be so allotted and given.

After the Allotments aforesaid, the Residue of the Forest to become absolutely vested in Her Majesty.

XX. After the Allotments aforesaid the Residue of the said Forest shall thereupon become and be absolutely vested in Her Majesty, Her Heirs and Successors, in Her and their Demesne as of Fee, freed, exonerated, and for ever discharged from all Rights to Underwood growing thereon, and from all Rights of Common, and all Rights, of what Nature and Kind soever, either of the said Duke of *Grafton* or of any other Persons or Person whomsoever; and it shall be lawful for the said Commissioners of Woods to exercise all the same Powers over and in respect of the Lands to be allotted to Her Majesty in and by the said Award, as herein provided, as they are or at any Time hereafter shall be by Law enabled to exercise over and in respect of other Lands of Her Majesty in right of Her Crown, not being Royal Forests, Parks, or Chases.

Compensation to be made to the Poor of certain Parishes, &c. in respect of Right to gather sere and broken Wood.

XXI. And whereas certain poor Inhabitants of the Parishes, Townships, Liberties, Hamlets, or Precincts of *Whittlebury*, *Potterspury with Yardley Gobion*, *Passenham with Denshanger*, (which Parishes and Places are usually known as In-towns,) and of the Parishes, Townships, Liberties, Hamlets, or Precincts of *Paulerspury with Heathencote*, *Grafton Regis*, *Alderton*, *Wickin*, *Lillingston Lovell*, and *Lillingston Dayrell*, (which last-mentioned Parishes and Places are usually known as Out-towns,) claim to be entitled to a Right to gather sere and broken Wood in the said Forest on certain Days: Be it enacted, That the Commissioners of this Act shall inquire and ascertain whether any and what pecuniary Compensation should in their Opinion be made unto the poor Inhabitants of the said several Parishes, Townships, Liberties, Hamlets, or Precincts in lieu of any Rights that they may establish to the Satisfaction of the Commissioners of this Act to sere and broken Wood within the said Forest, and the said Commissioners shall report the Amount or Amounts thereof to the Commissioner or Commissioners of Woods, Forests, and Land Revenues for the Time being in charge of the said Forest, who upon receiving such Report shall out of the Land Revenues of the Crown advance and pay the Amount or Amounts of such pecuniary Compensation so found and reported as aforesaid, and shall invest the same in the Names of the respective Rectors and Churchwardens of the said several Parishes or Places respectively in the Purchase of Three *per Cent.* Consolidated Bank Annuities, to be held by the respective Rectors and Churchwardens of the said respective Parishes or Places for ever in trust to pay and apply the Dividends thereof in the Purchase of Coals or other Fuel, to be by them distributed yearly at *Christmas* among the poor Inhabitants of the said respective Parishes or Places; and a proper Declaration or proper Declarations of Trust shall be executed by the Trustees of the respective Parishes

 or

or Places in whose Names the same Stocks shall be invested, and Memorials of such Declarations of Trust shall be enrolled with the Clerk of the Peace for the County of *Northampton*, and on the Investment or Investments of such Sums as aforesaid all such Right and Claim to sere or broken Wood within or over the said Forest shall absolutely cease.

In setting out Allotment to Her Majesty Consideration to be taken of certain Payments out of Land Revenues, and fair Equivalent allotted.

XXII. That in setting out and making the Allotment to Her Majesty as aforesaid the Commissioners of this Act shall take into consideration the pecuniary Payments to be made out of the Land Revenues of the Crown in respect of such Rights or Claims to sere or broken Wood, and shall give to Her Majesty such an Allotment from the said Forest as in their Opinion shall be a full and fair Equivalent for the Amount so to be paid out of the Land Revenues of the Crown for such Rights and Claims as aforesaid.

As regards the Tithes of the Coppices in Whittlebury.

XXIII. And whereas an Award of a total Sum to be paid by way of Rentcharge in lieu of the Tithes of the Parish or Township of *Whittlebury* (by the Description of the Township of *Whittlebury* in the Parish of *Green's Norton* in the County of *Northampton*) hath been confirmed by the Tithe Commissioners for *England* and *Wales*, in which Sum was included the Value of the Tithes of the said Coppices of the said Forest, and the Underwood and Bushes in the same within the said Parish or Township of *Whittlebury*, and in making the said Award the said last-mentioned Tithes were estimated at the Sum of Fifty Pounds *per Annum*, subject to the Provisions of the said Acts for the Commutation of Tithes: And whereas the Instrument of Apportionment of the total Sum so awarded by way of Rentcharge has not been confirmed: And whereas it may be expedient to apportion such last-mentioned Sum of Fifty Pounds *per Annum* on the Hereditaments and Premises by this Act directed to be allotted to the said Duke of *Grafton*, or a sufficient Portion thereof: Be it enacted, That for the Purposes of such Apportionment, but for no other Purpose or Purposes whatsoever, the Hereditaments and Premises by this Act directed to be allotted to the said Duke of *Grafton* as aforesaid, or such Portion thereof as the Commissioners of this Act shall by any Certificate under their Hands direct, shall be and be deemed to be within and to be Part and Parcel of the said Parish or Township of *Whittlebury*, and of the tithcable Lands or Places thereof.

The Hereditaments to be allotted to the Duke of Grafton, or such Portion thereof as the Commissioners shall direct, to be deemed (for the Purposes of the Tithe Apportionment) Part of Whittlebury Parish.

Commissioners to make their Award within Three Years, and deposit One Part in Land Revenue Record Office,

XXIV. The Commissioners of this Act shall make their Award or Awards in Writing within Three Years from the passing of this Act, and every such Award shall be executed in Duplicate, and One Part thereof shall be deposited in the Office of Land Revenue Records and Enrolments, and the other Part thereof shall be deposited with the Clerk of the Peace for the said County of *Northampton*, there to

to remain, and be examined by all Persons at all reasonable Times, on Payment of a Fee of One Shilling for each Examination.

and other with Clerk of the Peace.

XXV. After the Award aforesaid all and every Letters Patent, Grants, Appointments, and Warrants of and all and every other Rights to or in any Offices, Bailiwicks, Walks, or Lodges in and for the said Forest of *Whittlewood* otherwise *Whittlebury*, and all Salaries, Gratuities, Fees, and Allowances whatsoever lawfully payable or allowed in respect of the same, and all Privileges and Emoluments incident or annexed thereto, shall thenceforth cease and determine, and pecuniary Compensation shall be made by the Commissioners of Woods out of the Land Revenues of the Crown to all Officers holding such Offices as aforesaid, except the Warden, Master Forester or Ranger, and Master of the Game, (whether holding Lodges and Land within the said Forest by virtue of their several Offices or not,) in consideration of the Cessation of their said several Offices, and on their relinquishing and giving up the Possession of the said Lodges and Land respectively, and all Claim and Interest therein or thereto, under any Grant, Letters Patent, or Appointment or Warrant as aforesaid, which Compensation shall in every distinct and separate Case be referred to and ascertained by the Commissioners of Her Majesty's Treasury.

After Award all Letters Patent Offices, &c. to cease and determine.

XXVI. Her Majesty, Her Heirs and Successors, and the said Duke of *Grafton*, shall respectively make and at all Times thereafter maintain sufficient Boundary Fences where necessary, round all the Parts so to be set out and allotted or awarded to and to become the Property of Her Majesty and the said Duke of *Grafton* respectively as aforesaid: Provided always, that nothing herein contained shall operate to exonerate or discharge any Person or Persons from the Liability (if any) which at or before the passing of this Act he or they are or were under to make and maintain the Fences of such Part or Parts of the said Forest as may be allotted or awarded to Her Majesty or the said Duke of *Grafton* respectively as aforesaid.

Her Majesty and the Duke of Grafton to make and maintain Boundary Fences round their Allotments.

XXVII. In case the said Duke of *Grafton* shall die before the Completion of the said Allotments herein-before provided to be made to him, all the Provisions herein contained relating to the said Duke of *Grafton* shall extend to and be applicable in all respects to the Person or Persons entitled in remainder or reversion upon his Decease, and the Warden, Master Forester or Ranger, and Master of the Game of the said Forest for the Time being, or the Person who but for this Act would have been Warden, Master Forester or Ranger, and Master of the Game of the said Forest.

In case of the Duke of Grafton's Death, Act to bind Persons entitled in remainder.

XXVIII. The Commissioners of this Act may examine upon Declaration all such Persons as they might think fit, who attend before them for the Purpose of giving Evidence upon any Matter or Proceeding

Commissioners may, if they think fit, examine Witnesses

upon Declaration.

ceeding under the Authority of this Act, and for that Purpose may administer or receive Declarations, which Declarations may be in the following Form:

'I *A.B.* do solemnly declare, That the Evidence I shall give before you touching the Matter in question shall be the Truth, the whole Truth, and nothing but the Truth.'

Persons giving false Evidence guilty of Misdemeanor.

XXIX. If any Person, under the Provisions of this Act, shall wilfully give false Evidence, or shall make or subscribe a false Declaration for the Purposes of this Act, he shall be deemed guilty of a Misdemeanor.

Act not to affect Hasleborough Walk.

XXX. Nothing in this Act contained shall extend to or in anywise affect that Portion of the ancient Forest of *Whittlewood* otherwise *Whittlebury* called *Hasleborough Walk*, nor any Title, Right, or Claim of Her Majesty, or any other Person or Persons, under and by virtue of an Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for dividing, allotting, and inclosing that Portion of the Forest of* Whittlewood *called* Hasleborough Walk *in the Parish of* Whitfield, *and Liberties and Precincts of* Silston *otherwise* Silverston *otherwise* Silveston Burnham *in the County of* Northampton, *and of the open Fields of* Silston *otherwise* Silverston *otherwise* Silveston Burnham *aforesaid.*

5 G. 4. c. 99.

Provision as to Costs.

XXXI. The Commissioners of Woods shall pay all the Costs, Charges, and Expenses herein-before directed to be defrayed out of the Land Revenues of the Crown, and all other Costs, Charges, and Expenses incurred by them in and about the Execution of this Act, in the first place, out of the Produce of the Timber and other Trees and Saplings to be cut down and sold or otherwise disposed of under or by virtue of this Act, and so far as that shall not be sufficient the same shall be paid as Part of the Costs of Management of the Land Revenues of Her Majesty.

Short Title.

XXXII. It shall be sufficient for all Purposes to cite this Act as the "*Whittlewood* Disafforesting Act, 1853."

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever it shall appear to Her Majesty's Principal Secretary of State for the Home Department, by the Report of the Justices assembled at any General Quarter Sessions of the Peace or Adjournment thereof, held for any County, or Riding or Division of a County, in *England* or *Wales*, that any Gaol or House of Correction for such County, Riding or Division of a County, is either permanently or occasionally insufficient for or inadequate to the safe Confinement of the Number of Prisoners committed thereto, or to give effect to the Rules prescribed and then in force under any Acts for the Government and Discipline of such Gaol or House of Correction, and that the Justices of the Peace of any adjoining County, or Riding or Division of a County, possess the requisite Accommodation, and are willing to receive into and maintain in the Gaol or House of Correction of such adjoining County, or Riding or Division of a County, any specified Number of such Prisoners, it shall be lawful for the said Secretary of State, if he shall think proper so to do, by Writing under his Hand to authorize the Visiting Justices, or any Three of them, of such adjoining Counties, or Ridings or Divisions of Counties respectively, by Writing under their Hand, to enter into such Contracts for the Reception, Maintenance, and Confinement of such Prisoners in the Gaol or House of Correction of any adjoining County, or Riding or Division of a County, for such Period and upon such Terms as may be mutually agreed upon between the Visiting Justices of such adjoining Counties, or Ridings or Divisions of Counties respectively, and when in pursuance of such Authority any such Contract shall have been entered into, the same or a Counterpart shall be submitted to the next General Quarter Sessions of the Peace of the respective Counties, or Ridings or Divisions of Counties, Parties thereto, and filed among the Records of the said Counties, Ridings, or Divisions respectively; and all Payments to become due under such Contract shall be payable out of the County Rates or out of such other Fund as but for such Contract would have been chargeable with the Cost of Maintenance and Confinement of the said Prisoners in the Gaol or House of Correction from which they may be so removed or transferred as aforesaid.

When Gaol of any County is insufficient for the Custody of Prisoners, the Secretary of State may authorize the Justices of any adjoining County to contract for the Maintenance, &c. of such Prisoners.

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deposited on or before the Thirtieth Day of *November* last with the Clerks of the Peace for the County of *Middlesex* and for the City and Liberty of *Westminster*, and with such last-mentioned Plan so deposited were deposited Books of Reference thereto containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands and Property shown on the said Plan; and it is expedient that the said Commissioners of Her Majesty's Works and Public Buildings should have vested in them further Powers for the purchasing and taking the Property by the said Act and this Act authorized to be purchased and taken: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commissioners of Works and Public Buildings empowered to make Improvements.

I. It shall be lawful for the Commissioners of Her Majesty's Works and Public Buildings, herein-after styled "the Commissioners," to make such Improvements as aforesaid, within the Line of Deviation shown on the said Plan so deposited with the Clerks of the Peace for the County of *Middlesex* and for the City and Liberty of *Westminster*, in all respects as they shall think fit.

Power to alter Levels of existing Streets, &c. and to alter and stop up, either temporarily or permanently, Streets, Ways, Sewers, or Drains.

II. It shall be lawful for the said Commissioners, for the Purpose of effecting the said Improvements, to alter the Levels of existing Streets, Ways, Paths, or Passages comprised and exhibited in the said last-mentioned Plan, and to cross, divert, widen, alter, or stop up, either temporarily or permanently, all such Streets, Ways, Paths, Passages, Sewers, Drains, or Pipes as it may be necessary or expedient to cross, divert, widen, alter, or stop up for the Purposes of the said Improvements; and any Streets or Roadways made or opened in pursuance of the said Act or this Act shall, when made and opened, be used by the Public.

Power to purchase Hereditaments mentioned in the Schedule, and to lease, sell, and exchange the same.

III. It shall be lawful for the said Commissioners for the Purposes of the said Act and this Act to purchase all such of the Hereditaments comprised in the Schedule to this Act, or any Estate or Interest therein, as in their Opinion may be necessary for the effecting the said Improvements, and such Hereditaments may be purchased out of such Funds and in all respects as is by the said Act provided; and all Hereditaments purchased by virtue of this Act may be held, appropriated, leased, sold, and exchanged in all respects as is by the aforesaid Act provided with respect to Hereditaments to be purchased under the Provisions of the aforesaid Act; and such Hereditaments, when purchased, shall be conveyed and assured in such Manner as is by the said Act provided with respect to the Hereditaments

ments by the said Act authorized to be purchased, and particularly any Hereditaments purchased or acquired under the Powers of this Act or the said Act may be sold, leased, and exchanged in all respects as by the said Act is provided with respect to the Hereditaments thereby authorized to be purchased.

IV. For the Purposes of this Act the following Sections of the Thirty-ninth Chapter of the Statutes made in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her Majesty (being an Act for the Construction (amongst other Works) of a Bridge over the River *Thames* near *Chelsea Hospital*), namely, 11, 13, 16, 17, 18, 20, 23, 24, 25, 26, and 28 to 56 both inclusive, and 63 and 65, shall be deemed to be herein repeated with the Alterations necessary to make the same applicable to the Provisions of this Act, and to the Purchase of the Hereditaments by this Act or the said Act authorized to be purchased, and to the said Commissioners of Her Majesty's Works and Public Buildings, except that the Power to take and purchase any Hereditaments for the Purposes of this Act shall not be exercised by the said Commissioners after Four Years from the passing of this Act.

Certain Provisions of 9 & 10 Vict. c. 39. extended to this Act.

V. All the Provisions contained in the aforesaid Statute, Chapter Seventy-eight, shall apply to all and every the Matters and Things to be done under this Act, and as if the same were herein repeated.

Provisions of 15 & 16 Vict. c. 78. extended to this Act.

VI. It shall be sufficient for all Purposes to cite this Act as the "*Pimlico* Improvement Act, 1853."

Short Title.

The

The SCHEDULE to which this Act refers.

THE PARISH OF SAINT MARGARET IN THE CITY AND LIBERTY OF WESTMINSTER IN THE COUNTY OF MIDDLESEX.

Number in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		James Street.		
1	Dwelling House, Gateway, Garden, and Yard.	- - -	Elizabeth Moss, Alexander Mackenzie Ross, Augusta Foley Ross.	Fanny Bray, John Braham.
2	Dwelling House and Yard and Tenement in Princes Place.	- - -	Thomas Flight, Hannah Haining.	Hannah Haining, James Robinson.
3	Dwelling House and Yard.	- - -	- - -	Jane Fraser, Margaret Hofman.
4	Dwelling House and Yard.	The Crown -	- - -	William Atkinson Green.
5	Dwelling House, Coach-house, and Stable.	- - -	Otho William Hawtley Hamilton, Sir Fortunatus Dwarris.	Sir Fortunatus Dwarris, James Talbot.
6	Dwelling House, Yard, and Cow-shed.	- - -	Lewis Crombie, James Farquhar Mathison.	Lewis Crombie, Rees Thomas.
7	Dwelling House and Yard.	- - -	Robert Torrens, Colonel William Wilberforce, Rev. Cyril Page.	Rev. Cyril Page.
30	Dwelling House and Yard, with Shop.	Joel Pinney, Francis Pinney, Executors of the late Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker -	William Truelove -	Abraham Harris.
31	Dwelling House, Shop, and Coal-sheds.		Samuel Churchill -	Thomas Chandler.
32	Dwelling House, Shop, and Yard.	James Watney -	George Drew, Andrew Mann, Robert Mann, Margaret Mann, (Executors of the late Andrew Mann).	William Stone.
		William Street.		
6	Dwelling House and Yard.	- - -	- - -	Henry Grant.
7	Dwelling House and Yard.	- - -	- - -	Thomas Goble.
8	Dwelling House and Yard.	Joel Pinney, Francis Pinney (Executors of the late Francis Pinney), Mrs. Bernard Pinney, Mrs. T. Walker.	- - -	Abraham Harris.
9	Dwelling House, Yard, and vacant Ground in front.		- - -	John Davenport.
10	Dwelling House and Yard.		- - -	Charles Waters.
15	Dwelling House and Coalshed.	- - -	- - -	Samuel Strickland.

Pimlico Improvement.

Number in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Stafford Place.		
20	Dwelling House and Yard.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Joseph Strickley.	Henry Abbott.
25	Dwelling House and Yard.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Elizabeth Smith, William George Thomas Barter.	Thomas Wilkes.
26	Dwelling House and Yard.	- - -		Thomas White.
27	Dwelling House and Yard.	- - -		Mercy Ross.
28	Dwelling House and Shop.	- - -		James Talbot.
29	Dwelling House and Shop.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Charles Fox, Henry Howard.	Sarah Crook.
30	Public House "Stafford Arms."	- - -	John Parker Pierce, Michael Henry Howard, Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Charles Fox.	Charles Fox.
31	Dwelling House and Yard.	- - - The Crown - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Henry Sugg.	Edward Roper.
32	Dwelling House and Yard.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Henry Bushby.	John Horton.
33	Dwelling House and Yard.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Henry Sugg.	Benjamin Brown.
34	Dwelling House and Yard.	- - -		James Holland.
35	Dwelling House and Yard.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Charles Pye.	Thomas Oliver.
36	Dwelling House and Yard.	- - -		Charles Summerville.
37	Dwelling House and Yard.	- - - The Crown -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Adeline Papare.	Joseph Messmer.
38	Dwelling House and Yard.	- - -	Joel Pinney, Frances Pinney, Mrs. Bernard Pinney, Mrs. T. Walker.	Rees Thomas.
56	Dwelling House and Yard.	- - -		Thomas Carter.

Pimlico Improvement.

Number in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
55	Dwelling House and Yard.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker.	Peter Moultre.
54	Dwelling House and Yard.	- - -		John Gowan.
53	Dwelling House and Yard.	- - - The Crown -		George Davis.
39	Dwelling House and Shop.	- - -		Samuel Sadler.
40	Dwelling House, Shop, and Yard.	- - -		Benjamin Styche.
41	Dwelling House, Shop, and Yard.	- - -		Charles Hounsell.

THE PARISH OF SAINT GEORGE HANOVER SQUARE IN THE CITY AND LIBERTY OF WESTMINSTER IN THE COUNTY OF MIDDLESEX.

Stafford Place.

52	Dwelling House and Yard.	Rev. John Philip Tomlinson, William Tooke (Trustees of the late Ralph Ward), William Robert Tomlinson, James Ward Tomlinson, William Piggott Shuckburgh, Anne Harrison, Maria Tomlinson, Elizabeth Ward Tomlinson, Joanna Shuckburgh.	Joel Pinney, Francis Pinney (Executors of the late Francis Pinney).	Sarah Pinney.
51	Dwelling House and Yard.			George Kitchener.
50	Dwelling House and Yard.			Francis Strugnell.
49	Dwelling House and Yard.			Peter Singleton.
48	Dwelling House and Yard.			John Lead.
47	Dwelling House and Yard.			James Martin.
46	Dwelling House and Yard.			Elizabeth Young.

Stafford Row, Victoria Road.

12	Dwelling House, Shop, and Garden.	- - -	Thomas Bew -	Frederick Berry.
13	Public House and Garden "The Gun Tavern."	- - -	William Rackstraw	William Rackstraw.
13	Dwelling House and Shop.	Rev. John Philip Tomlinson, William Tooke (Trustees of the late Ralph Ward), William Robert Tomlinson, James Ward Tomlinson, William Piggott Shuckburgh, Anne Harrison, Maria Tomlinson, Elizabeth Ward Tomlinson, Joanna Shuckburgh.		Charles Grover.
14	Dwelling House, House, Shop, and Garden.		George Henry Stevens.	George Henry Stevens.
14*a*	Garden at back -		Edward Weatherley -	George Nisbet.
15	Dwelling House, Shop, and Yard.		Henry Hayes, Charles Grover.	Henry Hayes.
16	Dwelling House, Shop, and Yard.		Thomas Edy - -	Thomas Edy.
17	Dwelling House, Shop, and Yard.		John Imrie - -	John Imrie.
18	Dwelling House, Shop, and Yard.		Adam Murgatroyd -	Adam Murgatroyd.
19	Dwelling House and Shop.	- - - -	George Taylor -	George Taylor, David Gilbert.

Pimlico Improvement.

Number in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Charlotte Street.		
1	Dwelling House and Shop.	Rev. John Philip Tomlinson, William Tooke (Trustees of the late Ralph Ward), William Robert Tomlinson, James Ward Tomlinson, William Piggott Shuckburgh, Anne Harrison, Maria Tomlinson, Elizabeth Ward Tomlinson, Joanna Shuckburgh.	Henry Rhodes, William Woolston.	William Woolston.
		Princes Court.		
1 2	Stables - Cottage and Yard -	The Crown - -	Thomas Flight -	John Robinson. John Swain.
100	Public Street -	The Commissioners for Paving and Improving the Parishes of Saint Margaret and Saint John, Westminster.	—	—
101	Public Street - -	The Commissioners of Paving for the Out Ward of St. George Hanover Square.	—	—
102	Public Street - -	The Commissioners of Paving for the Parish of Saint Martin in the Fields.	—	—

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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CAP. XLV.

An Act to consolidate and amend the Laws and to grant additional Facilities in relation to the Purchase of Government Annuities through the Medium of Savings Banks, and to make other Provisions in respect thereof.

[4th *August* 1853.]

WHEREAS it is expedient that the existing Acts of Parliament relating to the Purchase of Government Annuities through the Medium of Savings Banks should be repealed, in order that the same may be consolidated and amended: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. So much of the Act passed in the Third Year of the Reign of King *William* the Fourth, Chapter Fourteen, as relates to the enabling Depositors in Savings Banks and others to purchase Government Annuities through the Medium of Savings Banks and Parochial Societies, and so much of another Act passed in the Seventh and Eighth Years of Her present Majesty, Chapter Eighty-three, as relates to

So much of 3 W. 4. c. 14. and 7 & 8 Vict. c. 83. as relates to Purchase of Government Annuities through the

Medium of Savings Banks, &c. repealed.

to the Purchase of Government Annuities through the Medium of Savings Banks, shall be repealed, except as to anything heretofore done, or which shall hereafter be required to be done, in respect to any Annuities granted under the said Acts or either of them, and except also so far as may be necessary for the Purpose of any Proceedings to be taken under or by virtue of the same Acts or either of them, such Repeal to commence and take effect on and after the Tenth Day of *October* One thousand eight hundred and fifty-three.

Commissioners for Reduction of National Debt may receive Money from Depositors, &c. for Purchase of Annuities.

II. From and after the said Tenth Day of *October* One thousand eight hundred and fifty-three, it shall and may be lawful for the Commissioners for the Reduction of the National Debt to grant to or for the Benefit of any Depositor in a Savings Bank, or other Person whom the said Commissioners shall think entitled to be or to become a Depositor in a Savings Bank, any Immediate or Deferred Life Annuities depending on single Lives, or Immediate Annuities depending on joint Lives with Benefit of Survivorship or on the joint Continuance of Two Lives, to any Amount not less than Four Pounds nor more than Thirty Pounds in the whole, to or for the Benefit of any One Person, and to receive Payment for such Immediate Life Annuities in One Sum, and for such Deferred Life Annuities either in One Sum or in annual Sums payable for fixed Periods: Provided always, that no such Annuities shall be granted to or for the Benefit of any Person under the Age of Ten Years.

Annuity may be granted to Husband and to Wife.

III. Such Annuity may be granted to or possessed by any married Man or Woman, although an Annuity to the same or a less Amount may have been granted to or possessed by the Wife or Husband of such Party.

Deferred Annuities may be granted with a Condition that Purchase Money shall be returnable.

IV. The said Commissioners may grant such Deferred Life Annuities on condition that the Purchase Money shall be returnable, but without Interest, in which Case such Purchase Money without Interest shall be returnable at any Time on the Application of the Person beneficially interested in such Annuity, or after his Death on the Application of his Executors or Administrators; provided always, that in no Case whatever shall such Purchase Money or any Part thereof be returned after the first Payment of the said Annuity shall have actually become due, and the Monies so returnable shall be charged, paid, and defrayed out of the Monies standing in the Names of the said Commissioners at the Bank of *England* under the Provisions of this Act.

V. The

Savings Banks Annuities.

V. The said Commissioners may grant in like Manner and to the like Persons Deferred Life Annuities, of not less than One Pound or some Multiple thereof not exceeding Thirty Pounds in the whole, to any One Person, and receive Payment for such Annuity in One Sum on condition that the Purchase Money shall not be returnable.

Annuities may be granted with a Condition that Purchase Money shall not be returnable.

VI. Where a Party who has contracted under the Acts hereby repealed or shall contract under this Act for the Purchase of a Deferred Life Annuity by annual Payments shall, after having made One or more of such Payments, be unable to pay the Residue thereof, the said Commissioners may, at the Option of the Party beneficially interested in such Annuity, grant to such Party a Life Annuity, immediate or deferred, equivalent to the Amount of the several Payments so made by him, instead of returning the Amount of such Payments in Money.

Parties unable to keep up Annual Payments may have an Annuity granted in lieu of having Money returned.

VII. Where a Party has already contracted under the Acts hereby repealed, or shall hereafter contract under this Act, by Payment in One Sum for a Deferred Life Annuity, the said Commissioners may, at the Option of the Party, grant an Immediate Life Annuity in place and instead of the Deferred Life Annuity, which shall forthwith be cancelled.

Power to convert Deferred into Immediate Annuity.

VIII. No Annuity shall be granted under the Authority of this Act unless the Name of the Party on whose Life and for whose Benefit the Purchase is proposed to be effected shall be inserted in the Grant as a joint Proprietor of the said Annuity.

Name of Party to be always inserted in Grant.

IX. No such Annuity shall be granted otherwise than in the sole Name of the Person on whose Life and for whose Benefit the said Annuity is granted, except in the Case of Females, Infants under the Age of Twenty-one Years, Idiots, Persons of unsound Mind or incapacitated by bodily or mental Infirmity from taking care of themselves, of which Proof shall be afforded at the Time of making the Contract to the Satisfaction of the said Commissioners, or Comptroller General or Assistant Comptroller acting under them, in which Cases it shall be lawful to grant such Annuities as are authorized by this Act upon the Life of any such Person to such Person and to any Two or more Persons not interested therein as Trustees for such Person, under such Regulations as shall be prescribed by the said Commissioners or Comptroller General.

Cases in which Grants of Annuities may be to Trustees.

X. The said Commissioners may contract with any such Person or Persons for the Payment of a Sum of Money on his or her Death, provided

Power to grant Payment of Money on

Death of Persons purchasing Deferred Annuities.

provided that the Party contracting for such Payment on Death shall at the same Time purchase a Deferred Annuity depending upon his or her own Life, as the Case may be, and that the Money payable on Death do not exceed the Amount of the Sum paid down for the said Payment on Death and Annuity taken together, and shall in no Case exceed One hundred Pounds in the whole.

Contracts may be made at National Debt Office or through the Medium of Savings Banks, &c.

XI. The said Commissioners may make such Contracts with such Parties for the Grant of any Annuities under the Authority of this Act, either directly at their own Office or through the Medium of Savings Banks or Parochial or other Societies, or Agents duly authorized by the said Commissioners for such Purpose, and under such Regulations as the said Commissioners shall prescribe, and in such last-mentioned Cases may authorize the said Savings Banks and Societies and Agents to take and demand the like Fees as are sanctioned in respect to such Annuities by the Act of the Seventh and Eighth *Victoria* above referred to.

Money paid on account of Purchase of Annuity to be kept distinct, and paid to Account of Commissioners.

XII. The said Annuities and Payments on Death herein referred to are hereby made chargeable upon the Consolidated Fund of the United Kingdom, and all Sums of Money from Time to Time paid on account of such Contracts under this Act, or under the Acts hereby repealed, shall be paid into the Bank of *England* or into the Bank of *Ireland* to the Account of the Commissioners for the Reduction of the National Debt, under such Regulations as the said Commissioners shall from Time to Time prescribe in that respect; and the Cashiers of the Bank of *England* or Bank of *Ireland* are hereby required to receive all such Monies, and to place the same to the Accounts of the said Commissioners to be entitled "The Fund for purchasing Life Annuities or for Payments on Death, on the Account of Depositors in Savings Banks (as the Case may be);" and the said Commissioners shall in like Manner keep distinct and separate Accounts of all Monies so placed to the said Accounts, pursuant to the Provisions of this Act.

Commissioners to make Rules, Regulations, &c.

XIII. The said Commissioners, or the Comptroller General or Assistant Comptroller acting under the said Commissioners, may require such Proofs of Age and of Identity, and such Certificates, and make such Rules and Regulations in respect to the Grant of all Annuities, and for securing Payments on Death, under the Authority of this Act, and to the Payment thereof, and also to the Payment of all Annuities granted under the Acts hereby repealed, as may appear to them to be necessary and proper for carrying out the Purposes of this Act; and may decline or refuse to contract for any Annuity or for any Payment on Death, under the Provisions of this Act, in any Case

Commissioners, &c. may decline to

Case where there shall be in the Opinion of the said Commissioners, or of the said Comptroller General or Assistant Comptroller, sufficient Grounds for refusing or declining so to do.

contract for Annuities or Payments on Death.

XIV. If any One Individual shall by his own direct Act have or hold or be possessed of or entitled to any Annuity or Annuities granted under the Provisions of this Act or of the Acts hereby repealed, exceeding in the whole the Sum of Thirty Pounds *per Annum*, or shall make a false Declaration in relation to any Matter or Thing required by the Regulations of the said Commissioners, all the said Annuity or Annuities and Payments on Death shall be forfeited.

Penalty on Persons making false Declaration, &c.

XV. If any Person having contracted for the Payment of a Sum of Money on Death in the Manner herein-before provided shall at any Time, in Writing, in a Form approved of by the said Commissioners, and deposited with them during his Life, direct that the Sum payable at his or her Death be commuted for an Annuity for Life, to commence at his or her Death, and to be paid to any Persons nominated in the said Writing, such Commutation shall take effect, when approved of by the said Commissioners, or by the Comptroller General or Assistant Comptroller acting under the said Commissioners, and the Person so nominated shall be entitled to such Life Annuity as shall be the Equivalent to such Sum of Money so payable after Death as aforesaid, such Annuity to commence and take effect on and from the Sixth Day of *January*, Sixth Day of *April*, Sixth Day of *July*, and Eleventh Day of *October*, as the Case may be, next immediately following the Death of the Party nominating, and be payable and paid at the next following half-yearly Period.

Persons contracting for Payments of Sums of Money at Death may commute the same into an Annuity payable after Death to Nominees.

XVI. For the better carrying this Act into execution it shall and may be lawful for the Commissioners of Her Majesty's Treasury, from Time to Time as they shall think fit, to direct the Commissioners for the Reduction of the National Debt to use and adopt such Tables as shall from Time to Time be authorized and approved of by the said Commissioners of the Treasury for determining the Values of all Annuities, of whatsoever Kind, which may be granted according to the Provisions of this Act, as well as Tables for Payment of Sums of Money at Death, and such respective Tables shall be valid and effectual for the Purposes of this Act; and all Annuities for Lives, of whatsoever Kind, to be purchased under the Provisions of this Act shall be purchased, and all Payments for Sums to be secured at Death shall be contracted for, according to the Values stated in such Tables respectively, so long as the same shall remain in force; and the said Commissioners of the Treasury may alter, revoke, and recall all or any of the said

Treasury shall direct Use of Tables of the Value of Annuities as approved by them.

said Tables from Time to Time, and direct the Use and Adoption of such other Tables in lieu thereof as shall be approved of by the said Commissioners of the Treasury, and also discontinue, by any Warrant under their Hands addressed to the said Commissioners for the Reduction of the National Debt, the granting of any Annuities for Lives, or of Sums payable at Death, under the Provisions of this Act, if they shall think it fit and expedient so to do: Provided always, that the said Commissioners for the Reduction of the National Debt shall, previous to the Adoption and using of any such Tables, and Discontinuance of the granting of such Annuities and Payments at Death as aforesaid, give Notice thereof from Time to Time in the *London*, *Edinburgh*, and *Dublin* Gazettes, in such Form and Manner as to the said Commissioners for the Reduction of the National Debt shall seem fit and proper: Provided also, that the Tables now in force in respect to Annuities grantable under the Authority of the Acts hereby repealed shall be valid and effective for the Purchase and Grant of any Annuities under this Act, so far as they are applicable thereto, until altered, revoked, and recalled by the said Commissioners of the Treasury.

Purchasers of Annuities for Lives shall be entitled to such Amount of Annuity as shall be specified in the Tables.

XVII. In every Case when any Sum of Money shall be paid as the Consideration for the Purchase of any Annuity for Lives of whatsoever Kind, under the Provisions of this Act, or for securing a Payment on Death, the Person or Persons purchasing any such Annuity for Lives or for securing such Payment on Death, shall be entitled to receive from the Period at which the said Annuity is to commence and take effect an Annuity for a Life, or for joint Lives with Benefit of Survivorship, or on the joint Continuance of Two Lives, as the Case may be, of such annual Amount as shall be specified in any such Table or Tables respectively as the Commissioners of Her Majesty's Treasury shall from Time to Time authorize and approve in manner herein-before directed, to be calculated and ascertained according to the Age of the Party; and every Payment to be made on Death shall in like Manner be ascertained and settled according to the said Tables so to be approved and adopted from Time to Time as aforesaid.

Life Annuities granted under this Act and Payments at Death shall be carried to a separate Account.

XVIII. All Life Annuities, of whatsoever Kind, which shall be purchased and granted under the Provisions of this Act, (whether such Life Annuities shall commence immediately or not,) and all Payments at Death, shall, in their due Course as the same shall fall due and become payable, be carried to a new and separate Account in the Books of the said Commissioners for the Reduction of the National Debt.

XIX. When-

Savings Banks Annuities.

XIX. Whenever Proof of the Age of any Person shall have been once produced to the said Commissioners under the Provisions of any Act for the Purchase of any Annuity or Annuities on the Life of such Person, the original Proof of the Age of such Person, produced at the Time of the Purchase of the First Annuity upon the Life of such Person, shall be deemed sufficient in the Case of any proposed Purchase of a further Annuity on such Life under the Provisions of this Act, or of any other Act or Acts now in force authorizing the Grant of Annuities, without the Production of any further Proof of Age.

Life Annuitants may make further Purchases without fresh Certificates.

XX. The said Comptroller General or Assistant Comptroller acting under the said Commissioners shall, within Fourteen Days preceding the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in each and every Year, certify to the Commissioners of Her Majesty's Treasury the Amount of Annuities for Lives, and Sums payable at Death, which will become payable under this Act out of the said Consolidated Fund on each of such Days respectively, and the said Commissioners of the Treasury shall thereupon order and direct the Comptroller General of the Exchequer to issue out of the said Consolidated Fund from Time to Time to the Account of the said Commissioners for the Reduction of the National Debt the Sums specified in such Certificates, to be applied in paying such Annuities and Sums payable at Death respectively.

Amount of Annuities from Time to Time, and Sums payable on Death, shall be certified to the Treasury, who shall issue their Warrant to the Exchequer for Payment thereof out of the Consolidated Fund.

XXI. All Annuities for Lives, of whatsoever Kind, which shall be purchased under the Provisions of this Act, shall be payable by Two equal half-yearly Payments, to become due respectively on the Fifth Day of *January* and on the Fifth Day of *July*, or on the Fifth Day of *April* and the Tenth Day of *October*, in each and every Year, according to the respective Periods, as hereinafter mentioned, within which any Money shall be paid for the Purchase of any such Annuities for Life, of whatsoever Kind respectively; and the First half-yearly Payment of every such Annuity so purchased shall be made at the Times following; (that is to say,) on the Fifth Day of *January* in respect of all such Purchases completed by the actual Payment of Money into the Bank of *England* or into the Bank of *Ireland* to the Account of the said Commissioners herein-after mentioned at any Time during the Quarter ending on the Tenth Day of *October* preceding such Fifth Day of *January*; on the Fifth Day of *April* in respect of all such Purchases so completed at any Time during the Quarter ending on the Fifth Day of *January* preceding the Fifth Day of *April*; on the Fifth Day of *July* in respect of all such Purchases so completed at any

Time of Payment of Annuities granted under this Act.

any Time during the Quarter ending the Fifth Day of *April* preceding such Fifth Day of *July;* and on the Tenth Day of *October* in respect of all such Purchases so completed at any Time during the Quarter ending on the Fifth Day of *July* preceding such Tenth Day of *October;* and all future half-yearly Payments of every such Annuity shall be made with reference to the Time of such First half-yearly Payment; and upon the Death of any Annuitant in respect of any Life Annuity a Sum equal to One Fourth Part of the Annuity depending upon the Life of such Annuitant (over and above all half-yearly Arrears thereof respectively) shall be payable to the Person or Persons entitled to such Annuity, or his or her or their Executors or Administrators, (as the Case may be,) on the half-yearly Days of Payment next succeeding the Production of Proof to the said Commissioners certifying the Death of such Annuitant, if such Proof shall be produced to the said Commissioners not less than Thirty Days next preceding the Fifth Day of *January*, Fifth Day of *April*, Fifth Day of *July*, and Tenth Day of *October* respectively in every Year, and that such last-mentioned Payment shall be claimed within Two Years after the Death of such Annuitant, but not otherwise; but the Fourth Part of any expired Life Annuity payable under the Provisions of this Act shall not be payable or be paid upon or in respect of any Deferred Life Annuity unless One half-yearly Payment of such Deferred Life Annuity shall have been actually paid or become due at the Time of the Decease of such Annuitant; and all Sums payable at Death shall become due and payable on the Fifth Day of *January*, Fifth Day of *April*, Fifth Day of *July*, and Tenth Day of *October* next immediately following the Day on which such Death shall be proved to the Satisfaction of the said Commissioners, or the Comptroller General or Assistant Comptroller: Provided always, that Proof of such Death shall have been given Thirty Days previously to such Fifth Day of *January*, Fifth Day of *April*, Fifth Day of *July*, and Tenth Day of *October*, as the Case may be, and if not, then and in such Case such Payment shall not be made until the next succeeding Quarter Day.

On Death of Annuitant a Quarter's Payment to be made in addition to half-yearly Arrears.

Proviso as to Deferred Annuities.

XXII. All Monies becoming due as aforesaid on account of such Annuities already granted or to be granted hereafter, and all Payments on Death, shall be paid to the several Parties respectively entitled thereto by the said Commissioners, at the Office of the said Commissioners, or by Savings Banks, or Parochial Societies, or other Agents specially authorized by the said Commissioners to make such Payment, under such Regulations as shall from Time to Time be issued by the said Commissioners, or the said Comptroller General or Assistant Comptroller acting under them.

Annuities, &c. to be paid at National Debt Office, or at Savings Banks, &c.

XXIII. For

XXIII. For the Space of Fourteen Days next after any of the said quarterly Days for Payment of the said Annuities respectively no Contract shall be made by or on behalf of the said Commissioners for the Reduction of the National Debt for the Grant or Purchase of any Annuity or Sum payable at Death under this Act, anything herein-before contained to the contrary in anywise notwithstanding.

Contracts for Annuities not to be made for Fourteen Days after the quarterly Day of Payment.

XXIV. The said Commissioners for the Reduction of the National Debt shall cause all Monies placed to their said Accounts for the Purchase of Annuities or for securing Payments on Death, in pursuance of the Provisions of this Act or of the Acts hereby repealed, to be invested from Time to Time, under such Regulations as the said Commissioners shall direct, in the Purchase of any Bank Annuities, or Annuities for Terms of Years, or Exchequer Bills, or in either of them, and to be carried to the Accounts herein-before provided; which said Bank Annuities, Annuities for Terms of Years, and Exchequer Bills (as the Case may be) shall be forthwith cancelled, and all Interest or Dividends on such Bank Annuities, Annuities for Terms of Years, or Exchequer Bills shall cease to be charged upon or to be issued out of the Consolidated Fund from and after the Day upon which any such Bank Annuities, Annuities for Terms of Years, or Exchequer Bills shall have been purchased by the said Commissioners: Provided nevertheless, that the said Commissioners for the Reduction of the National Debt may retain and reserve from Time to Time so much of such Monies as shall be necessary for the Purpose of enabling the said Commissioners to return and pay back any Sum of Money, as herein-before directed, to such Person as shall have contracted for the Purchase of any Annuity under the Provisions of this Act, or of the Acts hereby repealed, by annual or other Payments, but who may not make good and keep up the same, and who is entitled to receive back the same, or to his, her, or their Executors or Administrators, as well as to the Executors or Administrators of such Person who may die before the Annuity which he, she, or they may have contracted for becomes payable, or for Re-purchase of any Annuity or Annuities in manner herein-after provided.

Monies paid to Commissioners on account of this Act to be invested in Bank Annuities, Annuities for Terms of Years, or Exchequer Bills, which shall be cancelled.

Commissioners may reserve a Part of such Sums to repay Money claimed in case of Death, &c. of Party purchasing Annuity.

XXV. The Right, Title, Interest, and Benefit in and to any Annuity, of whatsoever Kind, which has been purchased under any Act now in force for the Grant of Annuities through Savings Banks or Parochial Societies, or which may be purchased under the Provisions of this Act, shall not be assignable by the original Proprietor thereof so as to enable the Assignee to receive the same during the Lifetime of the said Proprietor; except in case of the Insolvency or Bankruptcy of an individual Proprietor, when the same shall become the Property of his or her Assignee or Assignees, for the Benefit of his

Annuities granted under this Act not assignable, except in case of Bankruptcy or Insolvency.

 or

or her Creditors; and in case of any such Bankruptcy or Insolvency the said Commissioners for the Reduction of the National Debt shall re-purchase the said Annuity according to the Value thereof, the same being computed upon the same Tables upon which the said Annuity was originally purchased; and the Receipt of the Assignee or Assignees shall be a sufficient Discharge to the said Commissioners, who shall forthwith cancel the said Annuity.

Transfer may be made by Trustees to secure Interest of Party beneficially interested.

XXVI. When any Annuity for Life, immediate or deferred, shall have been purchased under the Acts hereby repealed or this Act, in the Names of more Parties than One, the said Commissioners may permit the Party or Parties not beneficially interested therein, jointly with the Party who is beneficially interested, whether such Party be of the Age of Twenty-one Years or not, to transfer the said Annuity or Annuities to other Parties, of whom the Party beneficially interested shall always be One, under such Regulations as the said Commissioners shall prescribe in that respect, for the Purpose of securing that no Assignment shall thereby be made of the Interest of the said Party to any other Person or Persons whatsoever: Provided always, that where the Party beneficially interested is incapable, from any of the Causes set forth in Section Nine of this Act, from joining in such Transfer, the said Commissioners may permit such Transfer, notwithstanding, under such Regulations as shall appear to them to be necessary to secure the Interest of the Party beneficially interested in such Annuity.

Life Annuities to be free from Taxes, and to be Personal Estate.

XXVII. Life Annuities purchased under the Provisions of this Act shall be free from all Taxes, Charges, or Impositions whatever; and all such Annuities shall be deemed Personal Estate.

Yearly Account to be made up of unclaimed Annuities, &c.

XXVIII. An Account shall be made up on the Fifth Day of *January* in every Year, by the Commissioners for the Reduction of the National Debt, of all Annuities of whatsoever Kind granted in pursuance of any of the Acts hereby repealed or under this Act which shall have remained unclaimed for the Space of Three Years then next preceding, and all such Annuities so remaining unclaimed, together with the unclaimed Half-yearly Arrears thereof, and also all such Annuities of whatsoever Kind which shall have expired; and all Half-yearly Arrears thereof shall cease to be charged upon and shall not be issued or issuable out of the said Consolidated Fund from and after the Day upon which such Annuities shall have remained so unclaimed or shall have expired; but nothing in this Act contained shall extend to defeat or prejudice the Rights of any Persons entitled to such unclaimed Annuities who shall at any subsequent Period give Proof

Arrears, &c. Years standing to cease to be charged on Consolidated Fund, but not to prejudice Rights of Parties.

Proof of their Title to such Annuities to the Satisfaction of the said Commissioners, or the said Comptroller General

Registers, Receipts, &c. exempt from Stamp Duty.

XXIX. No Stamp Duty whatever shall be paid or payable upon or in respect of any Copy of any Register of Birth or Baptism or Marriage or Burial, or upon or in respect of any Certificate or Declaration to be made or taken in pursuance of this Act, or any Certificate or other Instrument whatsoever respecting the Payment of Money for the Purchase of any Annuity or Sum payable at Death under this Act, or any Power of Attorney authorizing the Receipt or any Receipt for the Payment of any such Annuity or any Part thereof, or for the Payment of any Sum of Money payable at Death.

If Certificate or Declaration contain any untrue Statement of Age, &c. the Money paid to be forfeited, and Right to Annuity to cease.

XXX. If any Certificate or Declaration shall be produced to the Officer of the Commissioners for the Reduction of the National Debt which shall contain any untrue Statement of the Age of any Person to whom an Annuity has been granted under this Act, or of any Person who has contracted for a Sum payable at Death, with Intent to obtain an Annuity on the Continuance of the Life of any Person under the Age of Ten Years, or to obtain any higher Rate or Amount of Annuity or any Payment on Death greater than would or might be allowed under the Provisions of this Act, according to the true Age of such Person, then and in every such Case all Money which may have been paid for or on account of the Purchase of such Annuity or Payment on Death shall be forfeited to the said Commissioners, and all Right and Title to any Annuity or to any Payment on Death which would or might otherwise have been payable in respect thereof shall cease and determine.

Persons forging Register, Certificate, Transfers, &c. to be liable to Punishment for Forgery.

XXXI. If any Person or Persons shall forge, counterfeit, or alter, or shall cause or procure to be forged, counterfeited, or altered, or shall knowingly or wilfully act or assist in the forging, counterfeiting, or altering, any Register or Registers of Birth or Baptism or Death or Burial required under the Provisions of this Act, or any Copy or Certificate of any such Register, or the Name or Names of any Witness or Witnesses to any such Certificate, or any Declaration required to be taken for any of the Purposes of this Act, or any Certificate of any Justice of the Peace or Magistrate, or of any Officer acting under the said Commissioners for the Reduction of the National Debt, of any such Declaration having been taken before him, or any Certificate of any Governor, or Person acting as such, or Minister, or Consul, or Chief Magistrate of any Province, Town, or Place, or other Person authorized by this Act to grant any Certificate of the Life or Death of any Annuitant; or shall forge, counterfeit, or alter, or shall cause or procure to be forged, counterfeited,

feited, or altered, or shall knowingly or wilfully act or assist in the forging, counterfeiting, or altering, any Certificate or Certificates of any Officer of the Commissioners for the Reduction of the National Debt, or of any Cashier or Clerk of the Bank of *England* or Bank of *Ireland*, or the Name or Names of any Person or Persons in or to any Certificate or other Instrument for the Payment of Money for the Purchase of any Annuity, or Sum payable at Death, under the Provisions of this Act, or in or to any Receipt or Discharge for any such Annuity, or in or to any Receipt or Discharge for any Payment or Payments due or to become due thereon, or for any Sum payable at Death, under the Provisions of this Act, or authorizing or purporting to authorize the Receipt of any Life Annuity, or any Annuity for Years, of whatsoever Kind, or Sum payable at Death, granted under this Act, or under either of the Acts hereby repealed, or any Payment or Payments due or to become due thereon; or if any Person or Persons shall wilfully, falsely, and deceitfully personate any true and real Annuitant, or shall wilfully utter, or deliver or produce to any Person or Persons acting under the Authority of this Act, any such forged Register or Copy of Register, or any such forged Certificate or Declaration, knowing the same to be forged, counterfeited, or altered, with Intent to defraud Her Majesty, Her Heirs and Successors, or with Intent to defraud any Person or Persons whomsoever; then and in every such Case all and every Persons and Person so offending, and being duly convicted thereof, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Laws in force any Persons convicted of Forgery are subject and liable to.

Penalty on Persons guilty of Perjury.

XXXII. If any Person in any Declaration to be made before any Justice of the Peace or Magistrate, or before any Officer acting under the said Commissioners, under the Provisions of this Act, shall wilfully or corruptly declare to any Matter or Thing which shall be false or untrue, every such Person so offending, and being duly convicted thereof, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Laws in force any Persons convicted of wilful and corrupt Perjury are subject and liable to.

Penalty on receiving Annuity after Death of Nominee, treble the Amount received.

XXXIII. If any Person or Persons shall for his, her, or their own Use, or for the Use of any other Person or Persons, receive any One or more Payment or Payments (otherwise than as authorized by this Act) upon or in respect of any Annuity granted under the Provisions of this Act or of the Acts hereby repealed, after the Death of any Annuitant on the Continuance of whose Life such Annuity was payable, or after the Death of either Annuitant, in case the Annuity shall have been granted upon the joint Continuance of the Lives

Lives of Two joint Annuitants, and after and beyond the Time on which such Annuity ought wholly to cease in consequence of the Death of such Annuitant, by virtue of this Act or the Acts hereby repealed, knowing such Annuitant to be dead, and contrary to the true Intent and Meaning of this Act, every Person so offending shall forfeit to Her Majesty, Her Heirs and Successors, treble the Amount of all Money so received.

Recovery and Application of Penalties.

XXXIV. All pecuniary Penalties and Forfeitures imposed by this Act shall be recoverable (if incurred in *England*) in the Name of Her Majesty's Attorney General, on the Part of Her Majesty, by Information in the Court of Exchequer at *Westminster*, or (if incurred in *Ireland*) in the Name of Her Majesty's Attorney General in the Court of Exchequer at *Dublin*, or (if incurred in *Scotland*) in the Name of Her Majesty's Advocate General in the Court of Exchequer in *Edinburgh*; and such Penalty and Forfeiture shall be payable and paid to the said Commissioners, and shall go and belong to and shall become Part of the Consolidated Fund; and it shall be lawful for the Commissioners for the Reduction of the National Debt to cause such Reward as they shall think fit, not exceeding One Moiety of any such Penalty or Forfeiture so recovered, after deducting all Charges and Expenses incurred in recovering the same, to be paid to any Person or Persons who shall appear to them to be entitled thereto as Informer or Informers in respect of such Penalty or Forfeiture so recovered.

Power to cause Reward to be paid to Informers.

Provision for defraying Expenses attending the Execution of this Act.

XXXV. The Lord High Treasurer or the Commissioners of Her Majesty's Treasury may order and direct to be issued and paid, out of the Fund upon which the Establishment of the Commissioners for the Reduction of the National Debt is chargeable, any Sum or Sums of Money for the Payment of Salaries to Officers and Clerks, and for any incidental Expenses incurred by the said Commissioners for the Reduction of the National Debt in carrying into execution this Act, in such Manner as the said Lord High Treasurer or Commissioners of the Treasury shall from Time to Time think fit and reasonable.

Account to be laid annually before Parliament of Annuities granted, and of Money paid for Annuities.

XXXVI. There shall be prepared and annually laid before both Houses of Parliament on or before the Twenty-fifth Day of *April* in every Year, if Parliament shall be then sitting, and if Parliament shall not be then sitting, then within Fourteen Days after the Commencement of the then next Session of Parliament, an Account, made up by the Commissioners for the Reduction of the National Debt to the Fifth Day of *January* preceding, of the gross Amount of all Sums of Money paid to the said Commissioners, and the gross Amount of

Annuities for Lives which shall have been granted for the same, and Contracts for Payment at Death which may have been made, under the Provisions of this Act, within the Year ending on the Fifth Day of *January* as aforesaid.

Powers of Attorney granted under recited Acts to be available under this Act.

XXXVII. All Powers of Attorney which shall have been granted for the Purpose of receiving any Annuity purchased under the said recited Acts or either of them, and which shall be in force on the Tenth Day of *October* One thousand eight hundred and fifty-three, shall continue of like Validity with respect to any Payment on account of such Annuities to be thereafter made by the said Commissioners under the Authority of this Act so long as such Powers of Attorney shall continue in force.

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

Thames at *Westminster* was constructed by certain Commissioners appointed for that Purpose: And whereas by an Act of Parliament of the Fifty-fourth Year of the Reign of His late Majesty King *George* the Third, Chapter One hundred and thirty-two, (Local,) the last-mentioned Commissioners were constituted a Body Politic and Corporate by the Name of "The Commissioners of *Westminster Bridge*:" And whereas by an Act of Parliament of the Session held in the Thirteenth and Fourteenth Years of the Reign of Her Majesty Queen *Victoria*, Chapter One hundred and twelve, (Local,) the said Commissioners of *Westminster Bridge* were empowered to construct a temporary Bridge adjoining *Westminster Bridge* aforesaid during certain Repairs thereof then contemplated, but no such temporary Bridge has been constructed, and the Plan of repairing the Bridge contemplated as aforesaid has been abandoned: And whereas, for the Purpose of constructing and maintaining the said Bridge, divers Sums of Money were raised by the said Commissioners of *Westminster Bridge*, under the Authority of the aforesaid Acts or some of them, by way of Lottery, and other Sums were advanced to the same Commissioners out of the Public Revenues, and the Residue of such Monies, after discharging the Cost of the Construction of the said Bridge, was invested by the said Commissioners in the Purchase of divers Lands and Hereditaments commonly called the *Westminster Bridge* Estate, and the Expenses of maintaining and repairing the said Bridge, together with certain Improvements in the Streets and Roads leading to the same Bridge, also authorized by the said Acts or some of them, have from Time to Time been defrayed by and out of the Rents, Issues, and Profits of the said Estate, or by Sale of Parts thereof by the said Commissioners: And whereas the said *Westminster Bridge*, and the Stairs, Landings, and Abutments thereof, and also all the Lands and Hereditaments now constituting the *Westminster Bridge* Estate, are now, under and by virtue of the said Acts or some of them, absolutely vested in the said Commissioners of *Westminster Bridge* and their Successors, subject only to such Leases or other Interests of or in the same as are now subsisting, and which said Hereditaments are set forth in the First Schedule to this Act: And whereas the said Bridge at *Westminster* has become insecure, and cannot be effectually repaired, and it is therefore necessary that a new Bridge should be constructed: And whereas it is expedient that the Construction of such new Bridge, and of the necessary and proper Approaches thereto, should be intrusted to the Commissioners of Her Majesty's Works and Public Buildings, and for that Purpose that the present Bridge, together with all the said *Westminster Bridge* Estate, should be transferred to and vested in the said Commissioners of Her Majesty's Works and Public Buildings: And whereas, on or before the Thirtieth

Day

Day of *November* One thousand eight hundred and fifty-two, the said Commissioners of Her Majesty's Works and Public Buildings caused to be prepared a Plan of a new Bridge and of the Approaches thereto, and also deposited Copies of such Plan at the respective Offices of the Clerks of the Peace for the Counties of *Middlesex* and *Surrey*, and at the Office of the Clerk of the Peace for the City and Liberty of *Westminster*, and with the Parish Clerks of the Parishes of *Saint Margaret Westminster* and *Saint Mary Lambeth*, and at the Parliament Office of the House of Lords, the Private Bill Office of the House of Commons, and the Office of the Board of Admiralty, and also gave Notice of the Deposit of such Plan as aforesaid to all the Owners, Lessees, and Occupiers of the Property which it would be necessary to take or affect for the Purpose of constructing a new Bridge and Approaches according to such Plan, together with Notice of their Intention to apply to Parliament for an Act to enable them to construct such new Bridge and Approaches accordingly, and the Property proposed to be taken from such Owners, Lessees, and Occupiers is set forth in the Second Schedule to this Act: And whereas since the Deposit of the said Plan as aforesaid the said Commissioners of Her Majesty's Works and Public Buildings have found it expedient to make certain Alterations in the Width and Elevation of the said intended Bridge: And whereas the said Commissioners of Her Majesty's Works and Public Buildings have caused an amended Plan to be made of the said intended Bridge and the Approaches thereto, according to such proposed Alterations as aforesaid, and have deposited Copies of the said amended Plan in the Parliament Office of the House of Lords and in the Private Bill Office of the House of Commons, but the same were not deposited until after the Thirtieth Day of *November* One thousand eight hundred and fifty-two, such proposed Alterations not having been determined on until after that Day: And whereas such proposed Alterations will not render it necessary to take or affect any Property not included within the Limits of Deviation laid down in the said original Plan: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. All and singular the Acts of Parliament herein-before mentioned shall be and hereby are absolutely repealed. **Acts repealed.**

II. The Commissioners of Her Majesty's Works and Public Buildings for the Time being shall be and they are hereby constituted a Corporation by the Name and Style of "The Commissioners of Her Majesty's Works and Public Buildings," in order to enable them to carry **Commissioners constituted a Corporation for the Purposes of this Act.**

carry into effect and execute the several Objects, Powers, and Purposes of this Act, and by that Name, and for the Purposes of this Act, they shall have perpetual Succession and use a Common Seal, which may be by them from Time to Time altered as they shall think fit, and shall and may sue and be sued, implead and be impleaded, and take Lands and Hereditaments to them and their Successors for ever, for the Purposes of this Act.

The Bridge, or so much thereof as belonged to the Commissioners, either in trust or otherwise, before the passing of this Act, to be vested, without further Conveyance, &c., in the Commissioners of Her Majesty's Works and Public Buildings.

III. The said Bridge at *Westminster*, with all and singular the Abuttals, Stairs, Streets, and Approaches thereto belonging, or so much thereof as at or immediately before the passing of this Act are or were vested in the said Commissioners of *Westminster Bridge*, and also all and singular other the Messuages, Lands, and Hereditaments, Monies, Funds, and other Real or Personal Estate, whatsoever and wheresoever, which, at or immediately before the passing of this Act, are vested or belonging, either at Law or in Equity, and either in possession, reversion, or remainder, in or to the said Commissioners of *Westminster Bridge*, or in any Persons in trust for them, or in or to which they have any Estate, Claim, or Demand whatsoever, shall, without any further Conveyance or Assignment, forthwith be and hereby are absolutely vested in the said Commissioners of Her Majesty's Works and Public Buildings for the same Estate or Interest and to the same Extent as the same at the passing of this Act were vested in the said Commissioners of *Westminster Bridge*, but not further or otherwise, and subject to all such and the same Estates, Conditions, Covenants, Exceptions, Reservations, and Liabilities as the same were subject to in the Hands of the said Commissioners of *Westminster Bridge*.

Commissioners to be entitled to the Benefit of all Covenants, &c. entered into with the Commissioners of Westminster Bridge.

IV. The said Commissioners of Her Majesty's Works and Public Buildings shall be absolutely entitled, both at Law or in Equity, to the Benefit of all Covenants, Conditions, and Reservations entered into with or made or reserved by the said Commissioners of *Westminster Bridge*, or to the Benefit whereof the same Commissioners of *Westminster Bridge* are at the passing of this Act entitled; and all Actions, Suits, Claims, and Demands which, if this Act had not been passed, might have been instituted or made by or against or upon the said Commissioners of *Westminster Bridge*, may be instituted or made by or against or upon the said Commissioners of Her Majesty's Works and Public Buildings; and Payment to the said Commissioners of Her Majesty's Works and Public Buildings of any Monies now due or which shall or otherwise would at any future Time become due to the said Commissioners of *Westminster Bridge* shall absolutely discharge the Persons making such Payment from any further Liability in respect of such Monies.

V. From

V. From and immediately after the passing of this Act the said Body Politic and Corporate of the Commissioners of *Westminster Bridge* shall cease and be dissolved.

The Corporation of Westminster Bridge to be dissolved.

VI. It shall be lawful for the said Commissioners of Her Majesty's Works and Public Buildings and their Successors, as and when they shall think fit, to make sale and dispose of and convey the said Hereditaments and Premises hereby vested in them as aforesaid, and also all and every or any Messuages, Buildings, Pieces of Ground, and Hereditaments which shall or may hereafter be purchased by or conveyed to them and their Successors, under the Provisions of this Act, and which shall not be required for the Purposes of this Act, and the Fee Simple thereof, or other their Estate or Interest therein, including all the Materials of *Westminster Bridge* aforesaid, and of all other Buildings, so soon as they shall be empowered to pull down or remove the same, as herein-after mentioned, either entirely or in Parcels, and by Public Sale or Private Contract, unto any Person or Persons who shall be willing to become the Purchaser or Purchasers thereof, for such Price or Prices as can be reasonably obtained for the same, and upon Payment of the Monies for which the same Premises or any Part or Parts thereof shall be sold, then to convey and assure the same unto and to the Use of the Purchaser or Purchasers thereof, and his, her, or their Heirs, Executors, Administrators, and Assigns respectively, or as he, she, or they shall direct or appoint, and also to give, sign, and execute proper and effectual Receipts and Acquittances for such Monies, which shall exonerate such Purchaser or Purchasers from all Responsibility with regard to the Application of the same Monies.

Power to Commissioners to dispose of Hereditaments, &c. conveyed to them.

VII. It shall be lawful for the said Commissioners of Her Majesty's Works and Public Buildings, and their Successors, from Time to Time as they shall think fit, to raise any Sum or Sums of Money by way of Mortgage, either in Fee or for any Term of Years, of all or any of the Hereditaments and Premises hereby vested in them, or hereafter to be purchased or acquired by or conveyed to them for the Purposes of this Act, and also to demise all or any of the same Hereditaments and Premises, or any Part thereof, to any Person or Persons, for any Term or Terms of Years, and either taking or without taking a Fine, and either upon Building Leases or for any other Purpose, and at such yearly Rent or Rents, and under and subject to such Covenants, Restrictions, Conditions, and Stipulations, as to them the said Commissioners of Her Majesty's Works and Public Buildings, or their Successors, shall appear expedient and proper, and the Hereditaments and Premises so mortgaged or demised may afterwards be sold

Power to raise Money by Mortgage, and to grant Leases.

 under

under the Provisions in that Behalf herein-before contained, subject to any such Mortgage or Demise.

Power to apply Monies in satisfaction of Claims.

VIII. The said Commissioners of Her Majesty's Works and Public Buildings shall apply all the Monies arising by any such Sale, Mortgage, or other Disposition as aforesaid, and also all the Rents, Issues, and Profits of the Hereditaments and Premises hereby vested or hereafter to be vested in them as aforesaid, until the same shall be sold, mortgaged, or otherwise disposed of, in the first place in paying, discharging, and satisfying all lawful Claims or Demands to which the said Commissioners of *Westminster Bridge* would have been liable if this Act had not been passed, and in the next place in or towards the Execution and Performance of the several Works and Matters which they are hereby authorized or directed to execute and perform; and the said Commissioners of Her Majesty's Works and Public Buildings shall from Time to Time lay out and invest such Monies as shall not be immediately required by them for the Purposes of this Act in the Purchase of Freehold Lands, or of Stock in the Public Funds, or at Interest upon Government or Real Securities, or in Exchequer Bills, as they shall think fit, and shall have the same Powers of selling, mortgaging, and otherwise disposing of such last-mentioned Lands, Stocks, and Securities as are hereby conferred in respect of the *Westminster Bridge* Estates so vested in them as aforesaid; and, subject as aforesaid, all the Hereditaments and Premises which shall remain unsold, and all Monies and Securities which shall remain unapplied, after the Erection of the said Bridge, and doing and executing the Matters hereby directed to be done, shall remain vested in the said Commissioners hereby incorporated, and shall be applied in keeping the said Bridge and Approaches hereby directed to be built and made in sufficient Repair, and for that Purpose the said Commissioners last mentioned shall have such and the like Powers of leasing, mortgaging, and selling the said Hereditaments and other the Powers as are herein-before contained, at their sole Discretion.

Power to construct Bridge.

IX. It shall be lawful for the said Commissioners of Her Majesty's Works and Public Buildings to construct a new Bridge across the River *Thames* on and adjoining to the Site of the present *Westminster Bridge*, together with all necessary and convenient Piers, Stairs, Hards, and Landing Places, and also the necessary and proper Streets, Roads, and Approaches to such new Bridge at both Ends thereof, as delineated and set forth in the amended Plan aforesaid, including the Lines of Deviation as shown on the same Plan, in manner herein-after mentioned, and according to such Plan as aforesaid, and for the Purposes aforesaid,

or

or any of them, to dig and make proper Foundations in the said River, and in the Lands on each Side thereof, and make Dams in the said River, and cut and level the Banks thereof, and remove and take away all Beds of Gravel, Sand, Mud, or other Impediment whatsoever, and do and execute every other Thing necessary or convenient for the Purposes aforesaid or any of them; and for the Purpose of erecting, maintaining, and repairing the said intended Bridge, and constructing and completing the Approaches thereto, and also of keeping the present Bridge in repair, the said Commissioners shall have full Power and Authority from Time to Time to land and deposit on either Side of the said River, on any Part of the Ground which they are hereby authorized and empowered to purchase, all Materials and other Things to be used in or about the same, and there to work and use such Materials and Things as they shall think proper, before they shall have effected a Purchase of such Ground, doing as little Damage as may be, and (in case they shall not afterwards effect such Purchase) making such Satisfaction as herein-after mentioned to the respective Owners and Occupiers of the Lands and Hereditaments which shall be damaged or used for the Purposes of this Act; and such Bridge, when so erected, and the Approaches thereto, shall be kept in repair by the said Commissioners of Her Majesty's Works and Public Buildings out of the Monies coming to them under this Act.

Landing Places to be constructed.

X. It shall be lawful for the Commissioners of Her Majesty's Works and Public Buildings to make and construct Piers, Stairs, and Landing Places at either End of the said intended Bridge, or at any of the Piers of the said Bridge.

Commissioners may take Places for depositing Materials.

XI. It shall be lawful for the said Commissioners of Her Majesty's Works and Public Buildings to take on Lease or to agree for the Use and Occupation of proper Places within Five hundred Yards of the Approach to the said Bridge on either Side thereof, for the Purpose of depositing and working Stone, Iron, Timber, and other Materials for building the said intended Bridge, and to dispose of the same in like Manner as is herein directed with respect to the other Lands vested in the said Commissioners.

Plans to be deposited at the Office of Works, and be open for Inspection.

XII. The amended Plan aforesaid, or a true Copy thereof, shall be deposited at the Office of the Commissioners of Her Majesty's Works and Public Buildings, and shall remain at the said Office, to the end that all Persons may at all reasonable Times have Liberty to inspect and peruse the same, at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

XIII. For

Applicability of certain Sections of 9 & 10 Vict. c. 39. to this Act.

XIII. For the Purposes of this Act, the following Sections of the Thirty-ninth Chapter of the Statutes made in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her Majesty Queen *Victoria* (being an Act for the Construction (amongst other things) of a Bridge over the River *Thames* near *Chelsea Hospital*), namely, Section Nine, Sections Eleven to Eighteen, both inclusive, Section Twenty, Sections Twenty-three to Fifty-six, both inclusive, Section Fifty-nine, Sections Sixty-three to Sixty-seven, both inclusive, Sections Ninety to One hundred and eight both inclusive, Section One hundred and thirteen, and Section One hundred and sixteen, shall be deemed to be herein repeated with the Alterations necessary to make the same applicable to the new Bridge and Approaches authorized by this Act, and to the said Commissioners of Her Majesty's Works and Public Buildings, and so that all Provisions in the said Act referring to or affecting any particular Commissioners of Sewers, or Persons or Bodies having the Control of any Sewers, shall be held to apply to the Commissioners or Body or Person or Persons having the Control or Management of the Sewers to which such Provisions became applicable, and so also that all the Provisions in the said Act relating to Sheriffs, Under Sheriffs, Coroners, Juries, and Justices shall be held to extend to and include Sheriffs, Under Sheriffs, Coroners, Juries, and Justices of the County of *Surrey*, as well as of the County of *Middlesex*, as the Case may require, and so as the Space of Seven Years mentioned in the said Thirty-ninth Chapter of the Statutes shall commence from the passing of this Act.

Punishment of Persons guilty of wilful Damage.

XIV. That if any Person shall wilfully or maliciously damage or injure the present Bridge, or any Pier, Stairs, Hard, or Landing Place belonging thereto, or shall wilfully or maliciously damage or injure the said intended new Bridge, or any Pier, Stairs, Hard, or Landing Place, or any Works, Matters, or Things to be constructed or provided under the Provisions of this Act, or any Part thereof respectively, or shall wilfully or maliciously, and without Authority from the said Commissioners, remove or take away any Works, Matters, or Things thereunto respectively belonging, or in any way direct or procure the same to be done, or shall be aiding or assisting therein, whereby the said Bridges or either of them, or the Piers, Stairs, Hards, or Landing Places, or the Works, Matters, or Things thereof respectively, may be damaged, any Person so offending shall be judged guilty of Felony; and every such Person so offending, and being thereof lawfully convicted, shall be subject to the like Punishments and Penalties as in Cases of Felony; and the Court by or before whom such Person shall be tried and convicted shall have Power and Authority

rity to cause such Person to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm, or, in mitigation of such Punishments, such Court may award such Sentence as the Law directs in Cases of Petty Larceny.

Owners of Vessels liable for Damage done to the Bridges, &c.

XV. That in case any Damage or Mischief shall be done to the said Bridges, or either of them, or to any such Piers, Stairs, Hards, or Landing Places as aforesaid, or any of the Works, Matters, or Things to be constructed or provided under the Provisions of this Act, or any Part thereof respectively, by any Ship, Lighter, Barge, Boat, Float, Raft, or Vessel, through the wilful Negligence of any Person having the Command of any such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel, or any of the Mariners or Persons employed therein, then and in every such Case the Owner of such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel shall be and is hereby made answerable to the said Commissioners for the Amount or Value of any such Damage or Mischief; and the same, provided it shall not exceed the Sum of Twenty Pounds, if not forthwith paid and satisfied, shall and may be recovered in such Manner as the Penalties and Forfeitures hereby imposed are in and by this Act directed to be recovered.

Masters to recover from their Servants any Damages paid for their Neglect, &c.

XVI. That in case the Owner of any such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel shall be compelled to pay any Penalty, or to make Satisfaction for any Damages, by reason of any Neglect or Default done or committed by his Servants or Mariners, or any of them, such Servants or Mariners and each and every of them shall be liable to pay such Penalty or Damages (with the Costs thereof) to such Owner; and in case of Nonpayment upon Demand thereof, and Oath made by such Owner of the Payment made by him of such Penalty, Satisfaction, or Damages, and that the same and the Costs thereof have not been repaid to him by such Servants or Mariners or any of them, although demanded, (such Oath to be made before any One or more Justice or Justices of the Peace of the County or Place where such Penalty or Satisfaction shall have been recovered,) the Amount thereof, provided the same shall not exceed the Sum of Twenty Pounds, shall be recovered in the same Manner as any Penalty is hereby directed to be recovered.

Penalty for Injuries, &c. or Obstructions to Passengers.

XVII. That if any Person shall wilfully break, throw down, or damage any of the Benches or Requisites erected on the present Bridge, Piers, Stairs, Hards, or Landing Places or any Benches or Requisites to be erected on the said intended new Bridge, Piers, Stairs, Hards, or Landing Places, or any Works, Matters, or Things to be constructed or provided for the Purpose of effectually carrying out the Purposes of this Act, or for the Convenience of the Passengers on the said

said Bridges, Piers, Stairs, Hards, or Landing Places, or wilfully break, throw down, damage, or destroy any Lamp Posts or Lamps on the same or any of them, or any of the Approaches thereto, or the Furniture of any of the said Lamps, or extinguish any of the said Lamps when lighted, or if any Person shall occasion any Obstruction, Annoyance, or Hindrance of any Description to Passengers on or along the said Bridges, Piers, Stairs, Hards, or Landing Places, or any of them, he shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, and shall also make Satisfaction to the said Commissioners, or to any such Person or Persons as they shall appoint to receive the same, or to the Party injured, for the Damage so done as aforesaid, which Satisfaction shall be received as Part of and in the same Way as the said Penalty is by this Act authorized to be recovered; and if any such Injury as aforesaid shall be done negligently or by Accident, the Person doing or causing the same shall make Satisfaction to the Party injured, which shall and may be recovered in the same Manner as Penalties are by this Act directed to be recovered.

Ground laid into the Streets to form Part of the Roadways, and may be used by the Public.

XVIII. When the several Roadways and Approaches and Streets shown and laid down in the said Plans shall be made in pursuance of this Act, all the Ground, Land, and Hereditaments which shall be laid open into the said Roadways and Approaches and Streets shall form Part of the said Roadways, Approaches, and Streets, and shall be used by the Public accordingly, and the same, and the sole Power, Authority, and Duty of paving, repairing, cleansing, lighting, and watering thereof, and of rating the Lands, Tenements, and Hereditaments situate and being within the same, or the Occupiers thereof for the Time being, shall be under the Care, Management, Control, and Jurisdiction of the Trustees or Commissioners of the Parishes or Places respectively after mentioned, that is to say, such Parts of the said Roadways, Approaches, and Streets as will be situate on the *Westminster* Side of the said intended Bridge shall be under the Care, Management, Control, and Jurisdiction of the Commissioners for paving and improving the Parishes of *Saint Margaret* and *Saint John Westminster*, and such Parts thereof as will be situate on the *Lambeth* Side of the said intended Bridge shall be under the Care, Management, Control, and Jurisdiction of the Trustees or Commissioners or other Persons or Bodies for the Time being having the Charge of paving the Parish of *Saint Mary Lambeth*, in like Manner in all respects as if they were included in the Acts giving Authority to the Bodies respectively; but all such Roadways, Approaches, and Streets shall in the first instance be well and sufficiently constructed and completed by and at the Costs of the said Commissioners of Her Majesty's Works and Public Buildings.

XIX. Pro-

XIX. Provided always, That no Houses, Buildings, Lands, or Hereditaments shall be taken or made use of for the Purposes of this Act, except such as are mentioned in the said Second Schedule hereunto annexed, or as are situated within the Limits of the Line of Deviation marked on the said original Plan, without the Consent in Writing of the Owner or Owners thereof, being capacitated to sell, being first had and obtained for that Purpose.

No Houses, &c. to be taken without Consent, unless mentioned in Schedule.

XX. Until the said intended new Bridge and the Approaches thereto shall be completed and thrown open to the Public, the said Commissioners of Her Majesty's Works and Public Buildings shall maintain and keep up the Means of a sufficient Communication between the *Middlesex* and *Surrey* Shores of the said River on or near the Site of the present Bridge at *Westminster*, and shall leave sufficient Access for the Public thereto along the Streets and Approaches leading to the same; and the said Commissioners shall as soon as conveniently may be take down and entirely remove the present Bridge, and the Stairs, Hards, and Piers thereto belonging, and shall sell or cause to be sold all the Materials thereof, and such Parts of the said Streets and Approaches not wanted for the Purposes of this Act in like Manner as is hereby provided with respect to the Sale of the Hereditaments and Materials of Houses to be pulled down by them, and hereby authorized to be sold.

Until new Bridge completed, Commissioners to keep up a Communication between the Middlesex and Surrey Shores.

XXI. So much of the said intended Bridge and of the said present Bridge, until removed, as lies or shall lie to the West of the Line dividing the Counties of *Middlesex* and *Surrey*, shall be in the Parish of *Saint Margaret* in the City of *Westminster* and County of *Middlesex*, and so much as lies or shall lie to the East of the same Line shall be in the Parish of *Lambeth* in the County of *Surrey*, nevertheless no Part of either of the said Bridges shall be rated or assessed for or towards the Land Tax, the Repairs of Highways, Sewers Rate, Poor's Rate, Church Rates, or any other Parish or County Rate whatsoever; and neither of the said Bridges shall be deemed or taken to be a County Bridge, so as to subject the Counties of *Surrey* and *Middlesex*, or either of them, to the repairing or supporting the same; and on the said intended Bridge being built the said Commissioners shall mark on some conspicuous Part thereof the Boundaries of the said Two Counties, and that Mark shall be conclusive Evidence of such Boundaries; and until the said present Bridge shall be removed the said Commissioners hereby incorporated shall, as regards the present Bridge, and all the Streets, Piers, Landing Places, Hards, and Approaches, have all and every the Powers and Authorities which before the passing of this Act were vested in the *Westminster* Bridge Commissioners.

So much of the present and intended Bridge as lies to the West shall be in the Parish of St. Margaret, and so much as lies to the East shall be in the Parish of Lambeth; and no Part of either of the said Bridges to be liable to Land Tax, &c.; nor shall the said Bridges be deemed to be County Bridges.

XXII. In

Damages, &c., in case of Dispute, to be settled by a Justice of the Peace.

XXII. In all Cases wherein Damages or Charges in respect of Acts or Offences done or committed upon or relating to the said Bridge, Piers, Stairs, Hards, or Landing Places are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by some Justice of the Peace for the said County of *Surrey* or the County of *Middlesex*, according to the Part of the Bridge where the Act or Offence was committed (such Justice not being interested in the Matters in question); and where by this Act any such Damages or Charges are directed to be paid, in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be settled and determined by the Justice by or before whom any Offender shall be convicted of such Offence; and such Justice is hereby authorized and required, on Nonpayment of the Damages, in any of the Cases aforesaid, to levy such Damages and Charges by Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeitures.

Damages not otherwise provided for, Provisions of 8 & 9 Vict. c. 16. to apply.

XXIII. With respect to the Recovery of Damages and Penalties and Forfeitures not hereby otherwise specially provided for, all and singular the Clauses and Provisions in "The Companies Clauses Consolidation Act, 1845," relating to the Recovery of Damages, Penalties, and Forfeitures, and the Application thereof, shall, so far as the same are applicable to Damages, Penalties, and Forfeitures imposed or made recoverable by this Act, be considered as incorporated with this Act, and for that Purpose the said Commissioners of Her Majesty's Works and Public Buildings shall be considered to be a Company; provided nevertheless, that it shall not be necessary for the said Commissioners to publish any List or Particulars of the Penalties hereby imposed, as required by the said "Companies Clauses Consolidation Act, 1845:" And provided also, that the Share of Penalties and Forfeitures which by the said Act are directed to be applied for the Benefit of the Poor shall in lieu thereof be paid to the said Commissioners of Her Majesty's Works and Public Buildings for the Purposes of this Act.

Application of Penalties.

As to Receipts, &c.

XXIV. Receipts in Writing, signed by any Two of the Commissioners of Her Majesty's Works and Public Buildings, or by the First Commissioner alone, for any Monies payable to the said Commissioners hereby incorporated, under or by virtue of this Act, shall be good and sufficient Discharges to the Person or Persons paying the same; and all Contracts in Writing made by the First Commissioner

sioner in the Execution of any of the Powers by this Act given to the said Commissioners shall be valid, and shall be binding on the said Commissioners, as if the same had been under their Corporate Seal.

Compensation to Officers by reason of Abolition of Offices.

XXV. It shall be lawful for the Commissioners for the Time being of Her Majesty's Treasury to order and direct whether any and what Compensation shall be made to the Secretary, Clerk, or other Officers of the *Westminster Bridge* Commissioners by reason of the Abolition of their Offices, or the Discontinuance of their Services, which Compensation may be made either by a Sum or Sums of Money in gross or by an annual Payment or Payments, as the Commissioners of the Treasury shall think fit to determine, and the Commissioners of Her Majesty's Works and Public Buildings are hereby authorized to pay such Compensation, pursuant to such Order, out of any of the Public Stocks or Funds, or the Dividends thereof, for the Time being belonging to the said last-mentioned Commissioners, and applicable by them to the Purposes of this Act: Provided always, that such Compensation shall not operate as, or be deemed or taken to be, any Charge or Incumbrance upon the Lands, Tenements, and Hereditaments mentioned in the First Schedule to this Act, or upon any Part or Parcel thereof, nor shall any Purchaser, Mortgagee, Lessee, Tenant, or Occupier of such Lands, Tenements, or Hereditaments, or any Part thereof, be liable to the Payment of such Compensation, or bound to see whether any such Compensation has or has not been made or paid.

For Protection of Wharf, &c. in the Occupation of Mr. Simmonds.

XXVI. Nothing in this Act contained shall authorize or empower the said Commissioners of Her Majesty's Works and Public Buildings to erect any Structure within Twenty-five Yards on a Line drawn at a Right Angle from the Front of the Wharf and Flour Mills in the Occupation of Mr. *John Simmonds*, situate on the said River *Thames* at *Lambeth*, adjoining the Foot of the present *Westminster Bridge* on the Northern Side thereof.

Short Title.

XXVII. It shall be sufficient for all Purposes to cite this Act as the "*Westminster Bridge* Act, 1853."

The FIRST SCHEDULE to which this Act refers.

RENT ROLL of the COMMISSIONERS of WESTMINSTER BRIDGE at Lady Day 1853.

Houses where situated.	No. of House.	Tenants Names.	Yearly Rents. £	s.	d.	Commencement of the Leases.	Term of Years.	Expiration of the Leases.
Westminster Bridge Road, Surrey -	99, 100, 101, & 102	J. Collett, Esq. -	24	0	0	Lady Day 1793 -	71	Lady Day 1864.
Abingdon Street	32	Commissioners of Her Majesty's Woods, &c. - -	50	0	0	Michaelmas 1785 -	72	Michaelmas 1857.
Charing Cross -	42	Mr. Willis - -	160	0	0	Michaelmas 1851 -	21	Michaelmas 1872.
	41	Mr. Glasier - -	160	0	0			
	40	Messrs. Ommanney -	160	0	0			
	39	Mr. Mitchell - -	160	0	0			
Spring Gardens -	15	Mr. Carlton - -	80	0	0	Lady Day 1849 -	21	Lady Day 1870.
Parliament Street East and Cannon Row -	37	Mr. Perkins - -	110	0	0	Lady Day 1851 -	21	Lady Day 1872.
	38	Mr. George Trollope -	130	0	0			
	40	R. Hughes, Esq. -	130	0	0			
	41	R. Wallace, Esq. -	120	0	0			
	42	Messrs. Bellamy and Co. - -	110	0	0	Tenants at Will.		
	43	W. G. Rose, Esq. -	120	0	0	Christmas 1828 -	31	Christmas 1859.
	44	A. M'Dougall, Esq. -	120	0	0	Lady Day 1824 -	45	Lady Day 1869.
	45	The Commissioners of Her Majesty's Woods and Forests - -	120	0	0	Michaelmas 1823 -	31	Michaelmas 1854.
Parliament Street and King Street - -	Whitehall House. 1 2	Do. - - -	800	0	0	Midsummer 1850 -	25	Midsummer 1875.
	3	Western Life Office -	185	0	0	Lady Day 1823 -	31	Lady Day 1854.
	6	Messrs. Dorrington -	120	0	0			
Parliament Street West - -	7	Mr. Withall - -	80	0	0	Do. 1824 -	31	Do. 1855.
	8	Mrs. Ferguson -	80	0	0	Do. 1823 -	31	Do. 1854.
King Street -	62	Mr. Smith - -	25	0	0	Do. 1836 -	21	Do. 1857.
	61	Mr. Hill - -	25	4	0	Do. 1823 -	31	Do. 1854.
	60	Dorset's Executors -	25	0	0			
Parliament Street East and Charles Street	14	Mr. Priest - -	110	0	0	Do. 1852 -	21	Do. 1873.
Charles Street -	5	Mr. Anderson -	50	0	0			
	4	Mr. White - -	42	0	0			
King Street -	9	Mrs. Mitchell -	60	0	0			
Parliament Street West - -	17	Mr. George Trollope and Three Houses in King Street - -	200	0	0	Christmas 1852 -	21	Christmas 1873.
	19	Mr. Puncher -	70	0	0			
	18	Mr. Bain - -	75	0	0			
	20	Mr. Metchin - -	75	0	0			
	21	Dr. Crispe - -	63	0	0	Tenant at Will.		
	26	Mr. Wm. Trollope -	100	0	0	Lady Day 1852 -	21	Lady Day 1873.
	27	Mr. Burder - -	100	0	0			
East Side of King Street - -	57	Messrs. Gregory -	80	0	0	Christmas 1842 -	21	Christmas 1863.
Abingdon Street	31	Messrs. Kempson -	80	0	0	Do. 1824 -	31	Do. 1855.
	30	Mr. Banks - -	84	0	0			
	18	Mr. Hallett - -	90	0	0			
	19	Mr. Veale - -	95	0	0	Midsummer 1828 -	31	Midsummer 1859.
	20	Mr. Gwilt - -	100	0	0	Tenant at Will.		
	21	Mr. Gibbs - -	120	0	0	Christmas 1824 -	31	Christmas 1855.
	22	Messrs. Drew & Co. -	84	0	0	Michaelmas 1823 -	31	Michaelmas 1854.

Westminster Bridge.

Houses where situated.	No. of House.	Tenants Names.	Yearly Rents. £ s. d.	Commencement of the Leases.	Term of Years.	Expiration of the Leases.
Abingdon Street	23	John Clementson, Esq.	- - -	- - -	- -	Used as the Office for the Commissioners of Westminster Bridge.
Bridge Street, Westminster -	9	Mr. Elland - -	120 0 0	Lady Day 1824 -	31	Lady Day 1855.
	8	Mr. Heath - -	70 0 0			
	7	Mr. Hannah - -	75 0 0			
	6	Mr. Rush - -	80 0 0			
	5	Mr. West - -	75 0 0			
	4	Miss Porter - -	75 0 0			
	3	Miss Collier - -	75 0 0			
	2	Mr. Potter - -	100 0 0	Tenant at Will.		
	1	Mr. Ginger - -	136 10 0	- - -	- -	Under Agreement to expire at Michaelmas in any Year on Six Months Notice.
	45	Mr. Cremer - -	105 0 0	- - -	- -	Under Agreement to expire on receiving Three Month's Notice.
		Ground - -	- - -	- - -	- -	Used as a Stoneyard by the Commissioners of Westminster Bridge.
Bridge Road, Surrey -	95 to 98	Mr. Goldsmith -	150 0 0	Lady Day 1823 -	61	Lady Day 1884.
	85 to 90	Mr. Elliott's Executors	142 8 6	Midsummer 1825	59	Midsummer 1884.
	94	Mr. Blundell - -	17 0 0	Do. 1825	61	Do. 1886.
	93	Mr. Clarke - -	17 0 0			
	91, 92	Mr. Saunderson -	36 6 0			
	12, 13	Mr. Mackintosh -	290 0 0	Tenant at Will.		
	11	Mr. Lott - -	45 0 0	- - -	- -	Tenants under Agreements to quit at Three Months Notice after Christmas 1853.
	9 & 10	Mrs. Jane Hancock -	90 0 0			
	8	Mr. Taylor - -	45 0 0			
	7	Mr. Broadhurst -	136 10 0			
		Mr. Pitt's Acknowledgment.	0 3 0	At Will.		
		Mr. Swinburne -	- - -	- - -	- -	House, Yard, and Wharf used for the Dwelling, Office, and Workshops of the Resident Engineer.
		BRIDGE ROAD ESTATE.				
Westminster Bridge Road, Surrey -		Mr. Clarke's Executors - - -	10 0 0	24th June 1836 -	21	24th June 1857.
	83	Late Melbourne -	- - -	Unlet.		
	81 & 82	Mr. Beck - -	100 0 0	24th June 1839 -	18	Do. 1857.
	80	Mr. Saunders -	40 0 0	Do. 1837 -	20	Do. 1857.
	79	Mr. J. Elliott - -	42 0 0	22d September 1846	19	29th September 1865.
	78	Mr. Wright, jun. -	20 0 0	25th March 1839 -	62	25th March 1901.
	77	Do. - -	20 0 0	24th June 1836 -	61	24th June 1897.
	76	Mr. Wright, sen. -	130 0 0	Do. do. -	21	Do. 1857.
	70 to 75	J. C. Cobbold, Esq. -	85 0 0	Do. do. -	63	Do. 1899.
	69	Mr. Leer - -	120 0 0	Do. do. -	21	Do. 1857.
	67, 68	J. C. Cobbold, Esq. -	90 0 0	Do. do. -	21	Do. do.
	66	Mr. Fitchew - -	45 0 0	Do. do. -	21	Do. do.
	65, 64	Mrs. Collinge - -	50 0 0	Do. do. -	21	Do. do.
		Mr. Cosser - -	1 0 0	Michaelmas 1836 -	87	Michaelmas 1923.
			7,406 1 6			

The SECOND SCHEDULE to which this Act refers.

Number on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	City of Westminster, County of Middlesex, and Parish of Saint Margaret.			
1	The Public Street: Bridge Street, Foot and Carriage Way.	The Commissioners for paving and improving the Parishes of Saint Margaret and Saint John Westminster.	—	—
2	Westminster Bridge: landing and embarking Pier, and Approaches.	The Crown; Conservators, the Mayor, Commonalty, and Citizens of the City of London; the Lords of the Admiralty; and Commissioners of Westminster Bridge.	The Trustees of the Watermen's Pier Company.	The Trustees of the Watermen's Pier Company.
3	The Bed and Shore of the River Thames.	The Crown; Conservators, the Mayor, Commonalty, and Citizens of the City of London; and the Lords of the Admiralty.	—	—
4	Westminster Bridge: Foot and Carriage Way, Steps, Landings, Abutments, and Piers.	The Commissioners of Westminster Bridge.	—	—
	County of Surrey, Parish of Saint Mary Lambeth.			
1	Westminster Bridge: Foot and Carriage Way, Steps, Landings, Abutments, and Piers.	The Commissioners of Westminster Bridge.	—	—
2	The Bed and Shore of the River Thames.	The Crown; Conservators, the Mayor, Commonalty, and Citizens of the City of London; and the Lords of the Admiralty.	—	—
3	Westminster Bridge: landing and embarking Pier, and Approaches.	The Crown; Conservators, the Mayor, Commonalty, and Citizens of the City of London; the Lords of the Admiralty; and the Commissioners of Westminster Bridge.	The Trustees of the Penny Steam Boat Pier Company.	The Trustees of the Penny Steam Boat Pier Company.
4	Bridge Street and Bridge Road: the public Street, Foot and Carriage Way.	The Parish of Saint Mary Lambeth.	—	—
5	Stangate Street: public Street, Foot and Carriage Way.	The Parish of Saint Mary Lambeth.	—	—
6	Belvedere Road: public Street, Foot and Carriage Way.	The Parish of Saint Mary Lambeth.	—	—

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VICTORIÆ REGINÆ.

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such further Portions of the aforesaid Lands and Hereditaments as they may consider requisite for the Purposes aforesaid: And whereas by the first-mentioned Act it was amongst other things enacted, that in all Cases where there should be Occasion to cut through, take, or use for the Purposes aforesaid any Part or Parts of any Commons or Waste Grounds or other Lands or Hereditaments which should be charged with or subject to any Right or Rights of Common, whether of Pasture, Turbary, Estover, or Piscary, or other Easements whatsoever, appendant, appurtenant, or in gross, or whether created or subsisting by Grant, Prescription, Custom, or otherwise howsoever, the Conveyance thereof by any Body Politic, Corporate, or Collegiate, or other Person or Persons, having such and the like Estate and Interest of and in the Manor wherein such Lands, Commons, Waste Grounds, or Hereditaments should be situate or (if the same should not be the Waste of any Manor) then having such and the like Estate and Interest of and in the Soil of such Lands, Commons, Wastes, and Hereditaments, as the Body or Bodies Politic, Corporate, or Collegiate, or Persons, who by virtue of the said Act were enabled to sell and convey other Lands and Hereditaments, should be a good and sufficient Conveyance of the Fee Simple and Inheritance of such Waste Grounds or Common or other Lands or Hereditaments for the Purposes aforesaid, as fully and effectually as if every Person having such Right or Rights of Common upon such Common or Waste Ground, Lands, or Hereditaments were seised thereof in Fee Simple in possession, and had joined in and executed such Conveyance, and that the Compensation to be paid for any Right of Common upon any such Common or Waste Ground, Lands, or Hereditaments to be settled in the Manner by the said first-mentioned Act directed should be paid to the Churchwardens of the Parish or respective Parishes in which such Common or Waste Lands should lie, and should be by such Churchwardens applied for such general and public Purposes within such Parishes respectively as a Vestry of such respective Parishes to be convened by such Churchwardens for that Purpose should direct: And whereas the Inhabitants of the said Parish of *Saint Mary Battersea*, at a Vestry Meeting held on the Eighth Day of *July* One thousand eight hundred and fifty-two, unanimously resolved that the Churchwardens should be authorized, on the Part of the Parishioners, in respect of their Common Rights, either as Freeholders, Copyholders, or Tenants, or Parishioners, of all the said Lands named in the Schedule to the first-mentioned Act, to accept the Sum of One thousand five hundred Pounds by way of Compensation for the Extinguishment of such and all other Rights over all such said Lands: And whereas it was intended by the said Parishioners that the said Sum of One thousand five hundred Pounds should include the Purchase or Compensation

pensation Money to be paid in respect of all Lammas Rights and other Commonable Rights existing or alleged to exist in, over, or upon all the Lands mentioned in the said Resolution, although not Common or Waste Lands; but it is doubtful whether the Terms of the aforesaid Provisions of the first-mentioned Act include such last-mentioned Lammas and other Commonable Rights: And whereas Doubts are also entertained as to how the Monies to be paid as the Price or Compensation for such Rights of Common and Commonable Rights as aforesaid ought to be paid and applied under the Provisions of the said first-recited Act: And whereas it is just and necessary, for the Purpose of effecting the Purposes of the said Acts, that on Payment of the Sum of One thousand five hundred Pounds by the said *Battersea Park* Commissioners all Rights of Common and Commonable Rights whatsoever in, over, or upon all the Lands comprised in the said Schedule to the first-mentioned Act, and which have been purchased as aforesaid, or which shall hereafter be purchased, should be absolutely extinguished; but it is apprehended that the same cannot be completely effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Battersea Park Commissioners to pay 1,500*l.* to the Churchwardens of Saint Mary Battersea, to be applied to such Purposes as a Vestry to be convened for that Purpose shall direct, and thereupon all Rights of Common to cease and be extinguished.

I. It shall be lawful for the said *Battersea Park* Commissioners, out of any Monies coming to their Hands applicable to the Purposes of the said Acts, to pay to the Churchwardens for the Time being of the said Parish of *Saint Mary Battersea* the Sum of One thousand five hundred Pounds, to be by such Churchwardens or their Successors applied for such general and public Purposes within the said Parish as a Vestry of the same Parish, to be convened by such Churchwardens for that Purpose, shall direct; and immediately on such Payment all Rights of Common whatsoever, and all Lammas Rights and other Commonable Rights whatsoever existing or claimed by any Body Politic, Corporate, or Collegiate, or any Person or Persons whatsoever, in, upon, or over all or any Part or Parts of the said Lands and Hereditaments specified in the Schedule to the said first-mentioned Act, and already purchased by the said Commissioners, shall absolutely cease and be extinguished; and as regards any other of the said Hereditaments which shall hereafter be purchased, then from the Date of such Purchase such Rights shall also cease and be extinguished, and whether the same be Common or Waste Lands or not.

Receipt of the Churchwardens to be

II. The Receipt or Receipts in Writing of the Churchwardens for the Time being of the said Parish of *Saint Mary Battersea* shall be a full

a sufficient Discharge for the 1,500*l.*

full and sufficient Discharge to the said *Battersea Park* Commissioners for the said Sum of One thousand five hundred Pounds or any Part thereof, and they shall not be in anywise bound to see to the Application thereof.

Short Title.

III. It shall be sufficient for all Purposes to cite this Act as "The *Battersea Park* Act, 1853."

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CAP. XLVIII.

An Act for the Punishment of Offences in the Colonies in relation to the Coin.

[4th *August* 1853.]

WHEREAS an Act was passed in the Second Year of King *William* the Fourth, "for consolidating and amending the "Laws against Offences relating to the Coin," and such Act has been amended by an Act passed in the First Year of Her Majesty, "to amend the Law relative to Offences punishable by "Transportation for Life:" And whereas it is expedient to extend the Provisions of the said first-mentioned Act (as so amended) to Her Majesty's Colonies and Possessions abroad in which Provision may not have been already made for the like Purpose: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

2 & 3 W. 4. c. 34.

7 W. 4. & 1 Vict. c. 90.

I. The Provisions of the said first-mentioned Act, as amended as aforesaid, shall, except as herein-after otherwise provided, extend to and be in force in all Her Majesty's Colonies and Possessions abroad.

2 & 3 W. 4. c. 34., amended by 7 W. 4. & 1 Vict. c. 90., extended to the Colonies.

II. If any Person shall import into any of Her Majesty's Colonies or Possessions abroad any false or counterfeit Coin resembling or apparently intended to resemble or pass for any of Her Majesty's current

Punishment for importing counterfeit Coin into the Colonies.

current Gold or Silver Coin coined in any of Her Majesty's Mints (whether in the United Kingdom or elsewhere), knowing the same to be false or counterfeit, he shall be liable, at the Discretion of the Court, to be transported for Life, or for any Term not less than Seven Years, or to be imprisoned for any Time not exceeding Four Years.

This Act not to apply in any Colony to any Offence for Punishment whereof local Provision is already made.

III. Provided always, That where by the Law now in force in any such Colony or Possession Provision is made for the Punishment of Offences relating to the Coin, or relating to specified Descriptions of the Coin, the said Act and this Act respectively, so far as respects any Offence punishable under the Provisions of the Law now in force as aforesaid, shall not extend to such Colony or Possession, but such Offence shall be punished in such Colony or Possession as if this Act had not been passed.

Power to local Legislature to vary Provisions of this Act.

IV. Provided also, That it shall be lawful for the local Legislature of any such Colony or Possession, by any Act, Law, or Ordinance to be passed or made in the Manner and subject to the Conditions in and subject to which Acts, Laws, or Ordinances may be passed or made by such local Legislature, to alter or repeal, as regards such Colony or Possession, all or any of the Provisions by this Act extended or made applicable to the said Colonies or Possessions, and generally by such Acts, Laws, or Ordinances to make such Provision as they see fit in relation to the Matters to which the said first-mentioned Act and this Act extend, in like Manner as if this Act had not been passed.

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anything contained in Two several Acts therein recited, passed respectively in the Fifty-ninth Year of the Reign of His Majesty King *George* the Third and in the Third and Fourth Years of the Reign of Her present Majesty: And whereas it is expedient to extend the Provisions of the said Act to Dioceses in Her Majesty's Foreign and Colonial Possessions: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Ordination of Persons by Colonial Bishop other than the Bishop of the Diocese valid.

Notwithstanding anything in the said recited Acts or either of them contained to the contrary, all Persons who have been or hereafter shall be ordained Deacon or Priest by any of the said Bishops in or for the Diocese of the Bishop of any other of Her Majesty's Foreign or Colonial Possessions, upon his Request in Writing, shall be entitled to all the same Rights, Privileges, and Advantages as if he had been ordained by such Bishop within the Limits of a Diocese over which he was at the Time himself actually exercising Jurisdiction, and residing therein.

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Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power for Archbishop, &c., by Authority of a Scheme of Ecclesiastical Commissioners, to exchange Patronage.

I. It shall be lawful for any Archbishop, Bishop, or any other Ecclesiastical Corporation, sole or aggregate, by the Authority of a Scheme of the Ecclesiastical Commissioners for *England*, ratified by Her Majesty in Council, and duly gazetted, to assign and transfer the Patronage of any Benefice or Benefices of which he shall be seised in right of his See, or other Preferment held by him by way of Exchange only, and not otherwise, to any Archbishop, Bishop, or other Ecclesiastical Corporation, sole or aggregate, who is and are hereby authorized to accept and acquire and hold the same, or to any other Person, for the Patronage of any other Benefice or Benefices; and from and after the Publication of the Scheme and Order in Council effecting such Transfer the Benefice or Benefices and Patronage thereby purporting to be transferred and exchanged shall be and remain thereby duly vested in the respective Archbishop, Bishop, or other Ecclesiastical Corporation, sole or aggregate, or other Person, Party to such Exchange, without any Transfer, Conveyance, or Assurance in the Law other than the said Scheme and Order so published in the Gazette as aforesaid.

Commissioners, before submitting Scheme for Approval, to inquire into and certify Particulars.

II. Provided that in every such Case the said Ecclesiastical Commissioners shall, before submitting such Scheme for the Consideration and Approval of Her said Majesty in Council, make due Inquiry into the Circumstances of the proposed Exchange, and into the equal or relative Value of the Benefice or Benefices and Patronage proposed to be thereby transferred, and shall certify the same to Her Majesty, with such Particulars thereof as may be necessary to show that such Exchange is made in conformity with the Intentions of the said recited Act.

As to the Meaning of the Word "Person."

III. The Word "Person" shall include any Corporation, and the Master, Provost, Warden, or Head of any College or Collegiate Establishment, and the Master, Guardian, or Head of any Hospital, and the governing Body respectively entitled in his or their Corporate Capacity to any such Patronage, and shall also extend to and include the Queen's Majesty as well in respect of Patronage vested or to be vested in or exercised by Her Majesty in right of the Crown as in right of the Duchy of *Lancaster* or of the Duchy of *Cornwall*; and in every Case of Exchange in right of the Crown where the Benefice is above the yearly Value of Twenty Pounds in the Queen's Books the Assent of Her Majesty shall be testified by the Signature of the Lord High Treasurer or First Commissioner of the Treasury for the Time being, and when such

Who to assent in Cases of Exchange of Benefices in right of the Crown.

such yearly Value shall be Twenty Pounds or under such Assent shall be testified by the Signature of the Lord High Chancellor, and the Assent of Her Majesty when the Patronage is in respect of the Duchy of *Lancaster* shall be testified by the Signature of the Chancellor of the Duchy, and when the Patronage is in respect of the Duchy of *Cornwall* such Assent shall be testified by Two or more of the principal Officers of the said Duchy, to be appointed in manner provided for Appointment of Officers to grant Leases under the Provisions of an Act passed in the Session held in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, Chapter Five, which Assent they are hereby authorized and empowered to give; and in every Case of Exchange in right of the Duchy of *Cornwall*, when there is a Duke of *Cornwall*, the Assent of the said Duke shall be testified in Writing under the Privy Seal of the said Duke first had and obtained for that Purpose.

As to Patronage of Benefices taken by the Crown or given in exchange.

IV. Where the Patronage of any Benefice or Benefices is given in exchange by the Crown, the Benefice or Benefices respectively taken in exchange for the same shall follow and be subject to the Course of Patronage of the Benefice or Benefices so given by the Crown.

Provisions of 1 & 2 W. 4. c. 45. respecting the Annexation of Laws, &c. to any Church, &c. extended to this Act.

V. All the Provisions and Powers of an Act passed in the Session of Parliament held in the First and Second Years of the Reign of King *William* the Fourth, Chapter Forty-five, relating to the Annexation by the Owner or Owners of any Lands, Tenements, or other Hereditaments whatsoever to any Church or Chapel under the Patronage of such Owner or Owners, shall apply to and may be exercised by any Archbishop or Bishop in reference to any Church or Chapel the Patronage whereof shall have been transferred from such Archbishop or Bishop under the said Order in Council gazetted the Fourth *June* One thousand eight hundred and fifty-two, or by any Archbishop, Bishop, or other Ecclesiastical Corporation, Person or Persons, whose Patronage shall be the Subject of any Exchange under this Act in reference to such Patronage, notwithstanding such Patronage may have been so transferred by such Exchange.

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

Property, whether corporeal or incorporeal, in *Great Britain* and *Ireland*, except Money secured on Heritable Property in *Scotland*, and all Estates in any such Hereditaments:

The Term "Personal Property" shall not include Leaseholds, but shall include Money payable under any Engagement, and Money secured on Heritable Property in *Scotland*, and all other Property not comprised in the preceding Definition of Real Property:

The Term "Property" alone shall include Real Property and Personal Property:

The Term "Succession" shall denote any Property chargeable with Duty under this Act:

The Term "Trustee" shall include an Executor and Administrator, and any Person having or taking on himself the Administration of Property affected by any express or implied Trust:

The Term "Person" shall include a Body Corporate, Company, and Society:

The Term "Legacy Duty Acts" shall denote the Acts now in force for charging Duties on Legacies and Shares of the Personal Estates of deceased Persons.

What Dispositions and Devolutions of Property shall confer Successions.

II. Every past or future Disposition of Property, by reason whereof any Person has or shall become beneficially entitled to any Property or the Income thereof upon the Death of any Person dying after the Time appointed for the Commencement of this Act, either immediately or after any Interval, either certainly or contingently, and either originally or by way of substitutive Limitation, and every Devolution by Law of any beneficial Interest in Property, or the Income thereof, upon the Death of any Person dying after the Time appointed for the Commencement of this Act, to any other Person, in possession or expectancy, shall be deemed to have conferred or to confer on the Person entitled by reason of any such Disposition or Devolution a "Succession;" and the Term "Successor" shall denote the Person so entitled; and the Term "Predecessor" shall denote the Settlor, Disponer, Testator, Obligor, Ancestor, or other Person from whom the Interest of the Successor is or shall be derived.

Definition of the Terms "Successor," "Predecessor."

Joint Tenants taking by Survivorship to be deemed Successors.

III. Where any Persons shall, at or after the Time appointed for the Commencement of this Act, have any Property vested in them jointly, by any Title not conferring on them a Succession, any beneficial Interest in such Property accruing to any of them by Survivorship shall be deemed to be a Succession; and every Person to whom any such Interest shall accrue shall be deemed to be the Successor; and the Person upon whose Death such Accruer shall take place shall be deemed to be the Predecessor; and where any Persons after the Time appointed for the Commencement of this Act shall take any Succession

Succession jointly, they shall pay the Duty, if any, chargeable thereon by this Act in proportion to their respective Interests in the Succession; and any beneficial Interest in such Succession, accruing to any of them by Survivorship, shall be deemed to be a new Succession, derived from the Predecessor from whom the joint Title shall have been derived.

General Powers of Appointment to confer Successions.

IV. Where any Person shall have a general Power of Appointment, under any Disposition of Property taking effect upon the Death of any Person dying after the Time appointed for the Commencement of this Act, over Property, he shall, in the event of his making any Appointment thereunder, be deemed to be entitled, at the Time of his exercising such Power, to the Property or Interest thereby appointed as a Succession derived from the Donor of the Power; and where any Person shall have a limited Power of Appointment, under a Disposition taking effect, upon any such Death, over Property, any Person taking any Property by the Exercise of such Power shall be deemed to take the same as a Succession derived from the Person creating the Power as Predecessor.

Extinction of determinable Charges to confer Successions.

V. Where any Property shall at or after the Time appointed for the Commencement of this Act be subject to any Charge, Estate, or Interest, determinable by the Death of any Person, or at any Period ascertainable only by reference to Death, the Increase of Benefit accruing to any Person or Persons upon the Extinction or Determination of such Charge, Estate, or Interest shall be deemed to be a Succession accruing to the Person, or the Persons if more than One, then entitled beneficially to the Property or the Income thereof, according to his or their respective Estates or Interests therein, or beneficial Enjoyment thereof; and the Person or Persons from whom such Successor or Successors respectively shall have derived Title to the Property so charged shall be deemed to be the Predecessor or Predecessors, as the Case may be.

Persons now beneficially entitled to Real Property subject to Leases for Life, not liable to Duty.

VI. Provided that no Person entitled, at the Time appointed for the Commencement of this Act, to the immediate Reversion in any Real Property expectant upon the Determination of any Lease for Life or for Years determinable on Life, shall be chargeable with Duty in respect of such Determination, in the event of the same occurring in his Lifetime.

Dispositions accompanied by the Reservation of a Benefit to the Grantor, &c. to confer Successions

VII. Where any Disposition of Property, not being a *bonâ fide* Sale, and not conferring an Interest expectant on Death on the Person in whose Favour the same shall be made, shall be accompanied by the Reservation or Assurance of or Contract for any Benefit to the Grantor, or any other Person, for any Term of Life or for any Period ascertainable

able only by reference to Death, such Disposition shall be deemed to confer at the Time appointed for the Determination of such Benefit an Increase of beneficial Interest in such Property, as a Succession equal in annual Value to the yearly Amount or yearly Value of the Benefit so reserved, assured, or contracted for, on the Person in whose Favour such Disposition shall be made.

Dispositions to take effect at Periods depending on Death, or made for evading Duty, to confer Successions.

VIII. Where any Disposition of Property shall be made to take effect at a Period ascertainable only by reference to the Date of the Death of any Person dying after the Time appointed for the Commencement of this Act, such Disposition shall be deemed to confer a Succession on the Person in whose Favour the same shall be made; and where any Disposition of Property shall purport to take effect presently, or under such Circumstances as not to confer a Succession, but by the Effect or in consequence of any Engagement, secret Trust, or Arrangement capable of being enforced in a Court of Law or Equity, the beneficial Ownership of such Property shall not *bonâ fide* pass according to such Disposition, but shall in fact devolve to any Person on Death, or at some Period ascertainable only by reference to Death, then such last-mentioned Person shall be deemed to acquire the Property so passing as a Succession derived from the Person making the Disposition as the Predecessor; and where any Court of competent Jurisdiction shall declare any Disposition to have been fraudulent and made for the Purpose of evading the Duty imposed by this Act, it shall be lawful for such Court to declare a Succession to have been conferred on such Person at such Time and to such an Extent as such Court shall think just; and such last-mentioned Person shall be deemed to have taken a Succession accordingly derived from the Person making such Disposition as Predecessor.

Duties to be under the Care and Management of the Commissioners of Inland Revenue.

IX. The Duties herein-after imposed shall be considered as Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue, herein-after called "The Commissioners;" who, by themselves and their Officers, shall have the same Powers and Authorities for the Collection, Recovery, and Management thereof, as are by an Act passed in the Session holden in the Twelfth and Thirteenth Years of the Reign of Her present Majesty, Chapter One, or by any other Act or Acts, vested in them for the Collection, Recovery, and Management of any Stamp Duties; and shall provide proper Stamps for denoting the Rate *per Centum* of the Duties payable under this Act; and shall have all other Powers and Authorities requisite for carrying this Act into execution.

Duties on Successions.

X. There shall be levied and paid to Her Majesty in respect of every such Succession as aforesaid, according to the Value thereof, the following Duties; (that is to say,)

Where

Where the Successor shall be the lineal Issue or lineal Ancestor of the Predecessor, a Duty at the Rate of One Pound *per Centum* upon such Value:

Where the Successor shall be a Brother or Sister, or a Descendant of a Brother or Sister of the Predecessor, a Duty at the Rate of Three Pounds *per Centum* upon such Value:

Where the Successor shall be a Brother or Sister of the Father or Mother, or a Descendant of a Brother or Sister of the Father or Mother of the Predecessor, a Duty at the Rate of Five Pounds *per Centum* upon such Value:

Where the Successor shall be a Brother or Sister of the Grandfather or Grandmother, or a Descendant of the Brother or Sister of the Grandfather or Grandmother of the Predecessor, a Duty at the Rate of Six Pounds *per Centum* upon such Value:

Where the Successor shall be in any other Degree of collateral Consanguinity to the Predecessor than is herein-before described, or shall be a Stranger in Blood to him, a Duty at the Rate of Ten Pounds *per Centum* upon such Value.

Provision as to married Persons chargeable with Succession or Legacy Duties.

XI. Where any Person chargeable with Duty under this Act in respect of any Succession, or chargeable with Duty under the Legacy Duty Acts in respect of any Legacy bequeathed to him or her by a Testator dying after the Time appointed for the Commencement of this Act, or in respect of the Personal Estate of any Person dying after the same Period, shall have been married to any Wife or Husband of nearer Consanguinity than himself or herself to the Predecessor, Testator, or deceased Person, then the Person taking such Succession, Legacy, or Personal Estate shall pay in respect thereof the same Rate of Duty only as such his or her Wife or Husband would have been chargeable with if she or he had taken the same.

What Duties payable when the Successor is also the Predecessor.

XII. Where any Person shall take a Succession under a Disposition made by himself, then, if at the Date of such Disposition he shall have been entitled to the Property comprised in the Succession expectantly on the Death of any Person dying after the Time appointed for the Commencement of this Act, and such Person shall have died during the Continuance of such Disposition, he shall be chargeable with Duty on his Succession, at the same Rate as he would have been chargeable with if no such Disposition had been made; but a Successor shall not in any other Case be chargeable with Duty upon a Succession taken under a Disposition made by himself, and no Person shall be chargeable with Duty upon the Extinction or Determination of any Charge, Estate, or Interest created by himself, unless at the Date of the Creation thereof he shall have been entitled to the Property subjected thereto expectantly on the Death of some

Person dying after the Time appointed for the Commencement of this Act.

Provision as to joint Predecessors.

XIII. Where the Successor shall derive his Succession from more Predecessors than One, and the proportional Interest derived from each of them shall not be distinguishable, it shall be lawful for the Commissioners to agree with the Successor as to the Duty payable; but if no such Agreement shall be made, the Successor shall be deemed to have derived his Succession in equal Proportions from each Predecessor, and shall be chargeable with Duty accordingly.

Duty on transmitted Successions.

XIV. Where the Interest of any Successor in any Personal Property shall, before he shall have become entitled thereto in possession, have passed by reason of Death to any other Successor or Successors, then One Duty only shall be paid in respect of such Interest, and shall be due from the Successor who shall first become entitled thereto in possession; but such Duty shall be at the highest Rate which, if every such Successor had been subject to Duty, would have been payable by any One of them.

Duties payable in respect of transferred Interests.

XV. Where, at the Time appointed for the Commencement of this Act, any reversionary Property expectant on Death shall be vested, by Alienation or other derivative Title, in any Person other than the Person who shall have been originally entitled thereto under any such Disposition or Devolution as is mentioned in the Second Section of this Act, then the Person in whom such Property shall be so vested shall be chargeable with Duty in respect thereof as a Succession at the same Time and at the same Rate as the Person so originally entitled would have been chargeable with if no such Alienation had been made or derivative Title created; and where, after the Time appointed for the Commencement of this Act, any Succession shall, before the Successor shall have become entitled thereto or to the Income thereof in possession, have become vested by Alienation or by any Title not conferring a new Succession in any other Person, then the Duty payable in respect thereof shall be paid at the same Rate and Time as the same would have been payable if no such Alienation had been made or derivative Title created; and where the Title to any Succession shall be accelerated by the Surrender or Extinction of any prior Interests, then the Duty thereon shall be payable at the same Time and in the same Manner as such Duty would have been payable if no such Acceleration had taken place.

Succession subject to Trusts for charitable or public

XVI. Where Property shall become subject to a Trust for any charitable or public Purposes, under any past or future Disposition, which, if made in favour of an Individual, would confer on him a Succession, there shall be payable in respect of such Property, upon its becoming subject

subject to such Trusts, a Duty at the Rate of Ten Pounds *per Centum* upon the Amount or principal Value of such Property; and it shall be lawful for the Trustee of any such Property to raise the Amount of any Duty due in respect thereof, with all reasonable Expenses, upon the Security of the Charity Property, at Interest, with Power for him to give effectual Discharges for the Money so raised.

Purposes chargeable with Duty.

XVII. No Policy of Insurance on the Life of any Person shall create the Relation of Predecessor and Successor between the Insurers and the Assured, or between the Insurers and any Assignee of the Assured, and no Bond or Contract made by any Person *bonâ fide* for valuable Consideration in Money or Money's Worth, for the Payment of Money or Money's Worth after the Death of any other Person, shall create the Relation of Predecessor and Successor between the Person making such Bond or Contract and the Person to or with whom the same shall be made; but any Disposition or Devolution of the Monies payable under such Policy, Bond, or Contract, if otherwise such as in itself to create a Succession within the Provisions of this Act, shall be deemed to confer a Succession.

Provision for Life Policies and certain Post Obit Bonds.

XVIII. Where the whole Succession or Successions derived from the same Predecessor and passing upon any Death to any Person or Persons shall not amount in Money or Principal Value to the Sum of One hundred Pounds, no Duty shall be payable under this Act in respect thereof or of any Portion thereof; and no Duty shall be payable under this Act upon any Succession, which, as estimated according to the Provisions of this Act, shall be of less Value than Twenty Pounds in the whole, or upon any Monies applied to the Payment of the Duty on any Succession according to any Trust for that Purpose, or by any Person in respect of a Succession, who, if the same were a Legacy bequeathed to him by the Predecessor, would be exempted from the Payment of Duty in respect thereof under the Legacy Duty Acts; and no Person shall be charged with Duty under this Act in respect of any Interest surrendered by him or extinguished before the Time appointed for the Commencement of this Act; and no Person charged with the Duties on Legacies and Shares of Personal Estate under the Legacy Duty Acts, in respect of any Property subject to such Duties, shall be charged also with the Duty granted by this Act in respect of the same Acquisition of the same Property.

Exemptions.

XIX. No Legatee or other Person shall, after the Time appointed for the Commencement of this Act, be chargeable under the Legacy Duty Acts with Duty, not then already due, in respect of any Leasehold Hereditaments of any Testator or deceased Person, as belonging to the Personal Estate of the Testator or Deceased.

Leasehold Estates not to be charged with Legacy Duty as Personal Estate.

XX. The

Duties to be paid on the Successor becoming entitled in possession, but in the Case of outstanding Interests, on the Determination thereof.

XX. The Duty imposed by this Act shall be paid at the Time when the Successor, or any Person in his Right or on his Behalf, shall become entitled in possession to his Succession, or to the Receipt of the Income and Profits thereof; except that if there shall be any prior Charge, Estate, or Interest, not created by the Successor himself, upon or in the Succession, by reason whereof the Successor shall not be presently entitled to the full Enjoyment or Value thereof, the Duty in respect of the increased Value accruing upon the Determination of such Charge, Estate, or Interest shall, if not previously paid, compounded for, or commuted, be paid at the Time of such Determination; and except that in case of an Annuity, or Property hereby made chargeable as an Annuity, the Duties shall be paid by such Instalments as are herein-after directed or referred to; provided that no Duty shall be payable upon the Determination of any Lease purporting at the Date thereof to be a Lease at Rackrent, in respect of the Increase accruing to the Successor upon such Determination.

The Interest of a Successor in Real Property to be considered as an Annuity.

XXI. The Interest of every Successor, except as herein provided, in Real Property, shall be considered to be of the Value of an Annuity equal to the annual Value of such Property, after making such Allowances as are herein-after directed, and payable from the Date of his becoming entitled thereto in possession, or to the Receipt of the Income or Profits thereof during the Residue of his Life, or for any less Period during which he shall be entitled thereto; and every such Annuity, for the Purposes of this Act, shall be valued according to the Tables in the Schedule annexed to this Act; and the Duty chargeable thereon shall be paid by Eight equal half-yearly Instalments, the First of such Instalments to be paid at the Expiration of Twelve Months next after the Successor shall have become entitled to the beneficial Enjoyment of the Real Property in respect whereof the same shall be payable, and the Seven following Instalments at half-yearly Intervals of Six Months each, to be computed from the Day on which the First Instalment shall have become due, provided that if the Successor shall die before all such Instalments shall have become due, then any Instalments not due at his Decease shall cease to be payable, except in the Case of a Successor who shall have been competent to dispose by Will of a continuing Interest in such Property, in which Case the Instalments unpaid at his Death shall be a continuing Charge on such Interest, in exoneration of his other Property, and shall be payable by the Owner for the Time being of such Interest.

Rules for valuing Lands, Houses, &c.

XXII. In estimating the annual Value of Lands used for Agricultural Purposes, Houses, Buildings, Tithes, Teinds, Rentcharges, and other Property yielding or capable of yielding Income not of a fluctuating Character, an Allowance shall be made of all necessary Outgoings.

XXIII. Where

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XXIII. Where Timber, Trees, or Wood, not being Coppice of Underwood, shall be comprised in any Succession, the Successor shall be chargeable with Duty upon his Interest in the net Monies, after deducting all necessary Outgoings for the Year, which shall from Time to Time be received from any Sales of such Timber, Trees, or Wood, and shall account for and pay the same yearly; provided that no Duty shall be payable on the net Monies received from the Sale of Timber, Trees, or Wood in any One Year unless such net Monies shall exceed the Sum of Ten Pounds; provided, that if the Successor shall be desirous of commuting the Duty, and shall deliver to the Commissioners an Estimate of the net Monies obtainable by him from the Sale of such Timber, Trees, and Wood as may, in a prudent Course of Management of the Property, be felled by such Successor during his Life, the Commissioners, if satisfied with such Estimate, shall accept the same and assess the Duty accordingly. Rule as to Timber.

XXIV. A Successor shall not be chargeable with Duty in respect of any Advowson or Church Patronage comprised in his Succession, unless the same, or some Right of Presentation, or some other Interest in or out of such Advowson or Church Patronage, shall be disposed of by or in concert with him for Money or Money's Worth, in which Case he shall be chargeable with Duty upon the Amount or Value of the Money or Money's Worth for which the same, or any such Presentation or Interest, shall be so disposed of at the Time of such Disposal. Rule as to Advowsons.

XXV. Where a Successor, entitled to any Real Property, subject to any Lease by reason whereof he shall not be presently entitled to the full Enjoyment thereof, shall not have paid Duty in respect of the full yearly Value of such Property, he shall be chargeable with Duty upon his Interest in any Fine or Grassum or other Consideration which may be received during his Life for the Renewal of any such Lease, or the Grant of any Reversionary Lease of the same Property. Rule as to Property subject to beneficial Leases.

XXVI. The yearly Value of any Manor, opened Mine, or other Real Property of a fluctuating yearly Income shall either be calculated upon the average Profits or Income derived therefrom, after deducting all necessary Outgoings, during such a Number of preceding Years as shall be agreed upon for this Purpose between the Commissioners and the Successor, before the first Payment of Duty on the Succession shall have become due; or if no such Period shall be agreed upon, then the Principal Value of such Property shall be ascertained, and the annual Value thereof shall be considered to be equal to Interest calculated at the Rate of Three Pounds *per Centum per Annum* on the Amount of such Principal Value. Rule as to Manors, Mines, &c.

Duty payable by Corporations, &c. taking Real Estates.

XXVII. Where any Body Corporate, Company, or Society shall become entitled, as Successors, to any Real Property, the Duty in respect thereof shall be assessed upon the Principal Value of such Property, but shall be payable by such Instalments, at such Times, and in such Manner as the same would be payable if assessed in respect of Property devolving on a Successor in Fee Simple; and it shall be lawful for such Body Corporate, Company, or Society, or any Trustee thereof, to raise the Amount of any Duty due in respect of their Succession upon the Security thereof, at Interest, with Power for them to give effectual Discharges for the Money so raised.

Allowance for Fines, &c. paid by Successor.

XXVIII. If a Successor, or any Person on his Behalf, upon becoming entitled to any Copyhold or other Real Property, shall be subject to any Fines, Casualties of Superiority, Compositions, Reliefs, or Charges incident to the Tenure thereof, and due in respect of his Succession, he shall be entitled to have a Deduction allowed to him of the Amount of such Fines, Casualties, Compositions, Reliefs, or Charges from the assessable Value of his Interest in such Copyhold or other Real Property.

Real Property directed to be sold to be charged as Personalty.

XXIX. The Interest of any Successor in Monies to arise from the Sale of Real Property under any Trust for the Sale thereof, so far as the same shall not be chargeable with Duty under the Legacy Duty Acts, shall be deemed to be Personal Property chargeable with Duty under this Act; provided that where such Monies shall be subject to any Trust for the Re-investment thereof in the Purchase of other Real Property, to which the Successor would not be absolutely entitled, such Monies shall be deemed to be Real Property, and for the Purpose of this Act each Successor's Interest therein shall be considered to be of the Value of an Annuity, payable during his Life, or for any less Period during which he shall be entitled, equal in Amount to the annual Produce of the actual Trust Property at the Time of his becoming entitled in possession, whether the same shall then be the Real Property subject to the Trust or Direction for Sale, or any Property purchased in substitution for it, or any intermediate Investment of the Produce of the Sale of the original Property.

Personal Property to be invested in Real Property how to be charged.

XXX. The Interest of any Successor in Personal Property subject to any Trust for the Investment thereof in the Purchase of Real Property to which the Successor would be absolutely entitled shall, so far as the same shall not be chargeable with Duty under the Legacy Duty Acts, be chargeable with Duty under this Act as Personal Property; and Personal Property subject to any Trust for the Investment thereof in the Purchase of Real Property to which the Successor would not be absolutely entitled shall, so far as the same shall not be chargeable with Duty under the Legacy Duty Acts, be chargeable

chargeable with Duty under this Act as Real Property; and for the Purposes of this Act each Successor's Interest therein shall be considered to be of the Value of an Annuity, payable during his Life, or for any less Period during which he shall be entitled, equal in Amount to the annual Produce of the actual Trust Property at the Time of his becoming entitled in possession, whether the same shall be the Real Property directed to be purchased, or any intermediate Investment of the Personal Property directed to be invested in such Purchase.

Annuities under this Act and the Legacy Duty Acts to be valued according to the Tables annexed to this Act.

XXXI. Where it shall be required to calculate, for the Purposes either of this Act or of the Legacy Duty Acts, the Value of any Annuity, or of any Interest chargeable with Duty as an Annuity, such Value shall, after the Time appointed for the Commencement of this Act, be calculated according to the Tables in the Schedule annexed to this Act, and not according to the Tables in the Schedule annexed to the Act of the Thirty-sixth Year of the Reign of King *George* the Third, Chapter Fifty-two, and such Annuity or Interest shall be chargeable with Duty accordingly.

Provisions as to the Assessment of Personalty.

XXXII. The following Provisions relating to the Assessment and Payment of Duty on Personal Estate, and the Exemption thereof from Duty in certain Cases, namely, the Eighth, Tenth, Eleventh, Twelfth, Fourteenth, and Twenty-third Sections of the said Act of the Thirty-sixth Year of the Reign of King *George* the Third, Chapter Fifty-two, shall be applicable to the Personal Property comprised in any Succession, and to the Assessment and Payment of Duty thereon, as if such Personal Property were a Legacy bequeathed by the Predecessor to the Successor, and were subject to the said Provisions, and as if the Tables in the said Act referred to were the Tables in the Schedules annexed to this Act.

Allowance to Donee of general Power of Appointment.

XXXIII. Where the Donee of a general Power of Appointment shall become chargeable with Duty in respect of the Property appointed by him under such Power, he shall be allowed to deduct from the Duty so payable any Duty he may have already paid in respect of any limited Interest taken by him in such Property.

What Allowance to be made for Incumbrances.

XXXIV. In estimating the Value of a Succession no Allowance shall be made in respect of any Incumbrance thereon created or incurred by the Successor, not made in execution of a prior special Power of Appointment, but an Allowance shall be made in respect of all other Incumbrances, and also in respect of any Monies which the Successor may previously to his Possession have laid out in the substantial Repairs or permanent Improvement of Real Property comprised in his Succession; provided that upon any Successor becoming entitled to Real Property subject to any prior principal Charge, an Allowance shall

shall be made to him in respect only of the yearly Sums payable by way of Interest or otherwise on such Charge as reducing the annual Value *pro tanto* of such Real Property.

No Allowance to be made in respect of contingent Incumbrances, unless they take effect.

XXXV. In estimating the Value of a Succession no Allowance shall be made in respect of any contingent Incumbrance thereon; but in the event of such Incumbrance taking effect as an actual Burden on the Interest of the Successor, he shall be entitled to a Return of a proportionate Amount of the Duty so paid by him in respect of the Amount or Value of the Incumbrance when taking effect.

The Duty on Successions to be calculated without regard to Contingencies.

XXXVI. In estimating the Value of a Succession no Allowance shall be made in respect of any Contingency upon the happening of which the Property may pass to some other Person; but in the event of the same so passing the Successor shall be entitled to a Return of so much of the Duty paid by him as will reduce the same to the Amount which would have been payable by him if such Duty had been assessed in respect of the actual Duration or Extent of his Interest.

Provision for Allowance or Return of Duty.

XXXVII. Where a Successor shall not have obtained the whole of his Succession at the Time of the Duty becoming payable, he shall be chargeable only with Duty on the Value of the Property or Benefit from Time to Time obtained by him; and whenever any Duty shall have been paid on account of any Succession, and it shall afterwards be proved to the Satisfaction of the Commissioners that such Duty, not being due from the Person paying the same, was paid by Mistake, or was paid in respect of Property which the Successor shall have been unable to recover, or from or of which he shall have been evicted or deprived by any superior Title, or that for any other Reason it ought to be refunded, the Commissioners shall thereupon refund the same to the Person entitled thereto.

Allowance to be made to Successor in respect of relinquished Property.

XXXVIII. Where any Successor upon taking a Succession shall be bound to relinquish or be deprived of any other Property, the Commissioners shall, upon the Computation of the assessable Value of his Succession, make such Allowance to him as may be just in respect of the Value of such Property.

Power for Commissioners to compound Duties.

XXXIX. Where, in the Opinion of the Commissioners, any Succession shall be of such a Nature, or so disposed or circumstanced, that the Value thereof shall not be fairly ascertainable under any of the preceding Directions, or where, from the Complication of Circumstances affecting the Value of a Succession, or affecting the Assessment or Recovery of the Duty thereon, the Commissioners shall think it expedient to exercise this present Authority, it shall be lawful for them to compound the Duty payable on the Succession upon such Terms

Terms as they shall think fit, and to give Discharges to the Successor, upon Payment of Duty according to such Composition; and it shall be lawful for them, in any special Cases in which they may think it expedient so to do, to enlarge the Time for Payment of any Duty.

Power of Commissioners to receive Duty in advance.

XL. It shall be lawful for the Commissioners to receive any Duty tendered to them in advance, and to allow Discount thereon at the Rate of Four Pounds *per Centum per Annum*, or at such other Rate as may from Time to Time be directed by the Commissioners of Her Majesty's Treasury; and no Person, by reason of his having made any Payment of Duty in advance, shall be prejudiced in his Right to have any Repayment of Duty made to him to which he may become entitled under any of the Provisions of this Act.

Power for Commissioners to commute future Duties.

XLI. It shall be lawful for the Commissioners, in their Discretion, upon Application made by any Person who shall be entitled to a Succession in expectancy, to commute the Duty presumptively payable in respect of such Succession for a certain Sum to be presently paid, and for assessing the Amount which shall be so payable they shall cause a present Value to be set upon such presumptive Duty, regard being had to the Contingencies affecting the Liability to such Duty, and the Interest of Money involved in such Calculation being reckoned at the Rate for the Time being allowed by the Commissioners in respect of Duties paid in advance; and upon the Receipt of such certain Sum they shall give Discharges to the Successor accordingly.

Duty to be a First Charge on Property.

XLII. The Duty imposed by this Act shall be a First Charge on the Interest of the Successor, and of all Persons claiming in his Right, in all the Real Property in respect whereof such Duty shall be assessed; and such Duty shall also be a First Charge on the Interest of the Successor in the Personal Property in respect whereof the same shall be assessed, while the same shall remain in the Ownership or Control of the Successor, or of any Trustee for him, or of his Guardian or Committee, or Tutor or Curator, or of the Husband of any Wife who shall be the Successor; and the said Duty shall be a Debt due to the Crown from the Successor, having, in the Case of Real Property comprised in any Succession, Priority over all Charges and Interests created by him, but such Duty shall not charge or affect any other Real Property of the Successor than the Property comprised in such Succession; provided, that where any settled Real Property comprised in a Succession shall be subject to any Power of Sale, Exchange, or Partition, exercisable with the Consent of the Successor, or by the Successor with the Consent of another Person, he shall not be disqualified by the Charge of Duty on his Succession from effectually authorizing by his Consent the Exercise of such Power, or exercising any Power with proper Consent, as the Case may be, and in such Case the Duty shall be charged substitutively upon the Successor's

Interest in all Real Property acquired in substitution for the Real Property before comprised in the Succession, and in the meantime upon his Interest also in all Monies arising from the Exercise of any such Power, and in all Investments of such Monies.

Provision for the separate Assessments of Properties.

XLIII. The Commissioners shall, at the Request of any Successor, or any Person claiming in his Right, accept or cause to be made so many separate Assessments of the Duty payable in respect of the Interest of the Successor in any separate Properties, or in defined Portions of the same Property, as shall be reasonably required; and in such Cases the respective Properties shall be chargeable only with the Amount of Duty separately assessed in respect thereof; and it shall be lawful also for the Commissioners, by their Certificates, to be issued in such Form as they shall think fit, from Time to Time to declare that any Duties already assessed, whether collectively or distributively, in respect of any Succession, shall thenceforth be charged, as to any unpaid Instalments, according to any further Distribution thereof, upon separate Parts only of the Property in respect of which such Assessment shall have been made, in which Case the Charge of such Duties shall be thenceforth limited according to such further Distribution.

What Persons accountable for Duty.

XLIV. The following Persons, besides the Successor, shall be personally accountable to Her Majesty for the Duty payable in respect of any Succession, but to the Extent only of the Property or Funds actually received or disposed of by them respectively after the Time appointed for the Commencement of this Act; that is to say, every Trustee, Guardian, Committee, Tutor, or Curator, or Husband in whom respectively any Property, or the Management of any Property, subject to such Duty, shall be vested, and every Person in whom the same shall be vested by Alienation or other derivative Title at the Time of the Succession becoming an Interest in possession; and all such Trustees, Guardians, Committees, Tutors, Curators, Husbands, and Persons shall be authorized to compound or pay in advance or commute any Duty, and retain out of the Property subject to any such Duty the Amount thereof, or to raise such Amount, and the Expenses incident thereto, at Interest on the Security of such Property, with Power to give effectual Discharges for the same, and such Security shall have Priority over any Charge or Incumbrance created by the Successor; and in the event of the Nonpayment of such Duty as aforesaid every Person hereby made accountable shall be a Debtor to Her Majesty in the Amount of the unpaid Duty for which he shall be so accountable.

Notice of Succession to be given to the Commissioners, and a

XLV. The Persons hereby made accountable for the Payment of Duty in respect of any Succession, or some of them, shall, in the Case of Personal Property, at the Time of the first Payment, Delivery, Retainer, Satisfaction, or other Discharge of the same or any Part thereof

thereof to or for the Successor or any Person in his Right, and in the case of Real Property when any Duty in respect thereof shall first become payable, give Notice to the Commissioners or to their Officers of their Liability to such Duty, and shall at the same Time deliver to the Commissioners or to their Officers a full and true Account of the Property for the Duty whereon they shall respectively be accountable, and of the Value thereof, and of the Deductions claimed by them, together with the Names of the Successor and Predecessor, and their Relation to each other, and all such other Particulars as shall be necessary or proper for enabling the Commissioners fully and correctly to ascertain the Duties due; and the Commissioners, if satisfied with such Account and Estimate as originally delivered, or with any Amendments that may be made therein upon their Requisition, may assess the Succession Duty on the Footing of such Account and Estimate; but it shall be lawful for the Commissioners, if dissatisfied with such Account and Estimate, to cause an Account and Estimate to be taken by any Person or Persons to be appointed by themselves for that Purpose, and to assess the Duty on the Footing of such last-mentioned Account and Estimate, subject to Appeal, as herein-after provided; and if the Duty so assessed shall exceed the Duty assessable according to the Return made to the Commissioners, and with which they shall have been dissatisfied, and if there shall be no Appeal against such Assessment, then it shall be in the Discretion of the Commissioners, having regard to the Merits of each Case, to charge the whole or any Part of the Expenses incident to the taking of such last-mentioned Account and Estimate on the Interest of the Successor in respect whereof the Duty shall be due, in increase of such Duty, and to recover the same forthwith accordingly; and if there shall be an Appeal against such last-mentioned Assessment, then the Payment of such Expenses shall be in the Discretion of the Court of Appeal herein-after appointed.

Return of the Property made.

XLVI. If any Person required to give any such Notice or deliver such Account as aforesaid shall wilfully neglect to do so at the prescribed Period, he shall be liable to pay to Her Majesty a Sum equal to Ten Pounds *per Centum* upon the Amount of Duty payable by him, or in the Case of a Succession chargeable with a higher Rate of Duty than One Pound *per Centum* upon the Value thereof, upon such less Sum as such Duty, if assessable at the Rate of One Pound *per Centum* upon the Value of the Succession, would amount to, and a like Penalty for every Month after the First Month during which such Neglect shall continue; and if any Person liable under this Act to pay any Duty shall, after such Duty shall have been finally ascertained, wilfully neglect to do so within Twenty-one Days, he shall also be liable to pay to Her Majesty a Sum equal to Ten Pounds *per Centum* upon the Amount of Duty so unpaid, or upon such less Sum as such Duty, if assessable at the Rate of One Pound *per Centum* on the Value of the Succession, would amount to, and a

Penalty on not giving Notices of Succession.

like Penalty for every Month after the First Month during which such Neglect shall continue.

Proceeding if Return not made.

XLVII. If any accountable Party required by the Commissioners to deliver any such Account as aforesaid shall make default in doing so, it shall be lawful for the Commissioners to sue, out of Her Majesty's Court of Exchequer in *England*, *Scotland*, or *Ireland*, as they shall think expedient, according to the Circumstances of the Case, and for such Court to issue, a Writ of Summons in such Form as the Judges of such Court shall from Time to Time frame, commanding the Party so in default to deliver such Account within such Period as may be appointed in the Writ, or to show Cause to the contrary, and on Cause being shown such Order shall be made as shall be just.

Power to enforce Returns from Executors and Administrators.

XLVIII. The Commissioners shall for the Purposes of the Legacy Duty Acts be empowered to require and enforce the Delivery of Accounts from Executors, Administrators, and Trustees of Property and Legatees chargeable with Duty under such Acts, and for the Duty whereon they shall be accountable, in the same Manner as they are by the last preceding Section of this Act empowered to require and enforce the Delivery of Accounts for the Purposes of this Act.

Accounting Party to verify his Account by Production of Books and Documents, and Commissioners may, without Fee, inspect and take Copies of public Books.

XLIX. Every Person who under the Provisions of this Act may deliver any Account or Estimate of the Property comprised in any Succession shall, if required by the Commissioners, produce before them such Books and Documents in the Custody or Control of such Person, so far as the same relate to such Account or Estimate, as may be capable of affording any necessary Information for the Purpose of ascertaining such Property and the Duty payable thereon; and the Commissioners may, without Payment of any Fee, inspect and take Copies of any public Book; but all such Information shall be deemed to be confidential, and the Commissioners shall not disclose the same, or the Contents of any Document or Book, to any Person, otherwise than for the Purposes of this Act.

Power for accountable Party to appeal.

L. It shall be lawful for any accountable Party dissatisfied with the Assessment of the Commissioners, upon giving, within Twenty-one Days after the Date of such Assessment, Notice in Writing to the Commissioners of his Intention to appeal against such Assessment, and a Statement of the Grounds of such Appeal, such Statement to be furnished within the further Period of Thirty Days, to appeal by Petition accordingly to Her Majesty's Court of Exchequer in *England*, *Scotland*, or *Ireland*, according to the Place in which the Appellant shall be resident; and every such Court, or any Judge thereof sitting in Chambers, shall have Jurisdiction to hear and determine the Matter of such Appeal and the Costs thereof, with Power to direct, for the Purposes of such Appeal, any Inquiry, Valuation, or Report to be made by any Officer of the Court, or other Person, as such Court

or Judge may think fit: Provided, that where the Sum in dispute in respect of Duty on such Assessment does not exceed Fifty Pounds, the accountable Party may, having given Notice of Appeal and delivered a Statement of the Grounds thereof as herein-before directed, appeal to the Judge of the County Court in *England*, the Sheriff Court in *Scotland*, or the Assistant Barrister's Court in *Ireland*, for the District, County, or Division in which the Appellant shall be resident, or the Property be situate; and every such Judge shall have Jurisdiction to hear and determine the Matter of such last-mentioned Appeal, with the like Power and Authority as are by this Section given to a Judge of Her Majesty's Court of Exchequer.

Duty to be entered by the Commissioners in a Book, and a stamped Receipt to be given.

LI. Whenever any Payment of Duty shall be made under this Act, the same shall be entered in a Book to be kept by the Commissioners for this Purpose, and the Receiver General of Inland Revenue, or other proper Officer appointed by the Commissioners, shall give a Receipt for the same in such Form as they shall think fit, and stamped with the proper Stamp for denoting the Rate of Duty, and the Commissioners shall from Time to Time deliver to any Person interested in any Property affected by such Duty, on applying for the same for any reasonable Purpose, approved by the Commissioners, a Certificate, in such Form as they may think fit, of such Payment.

Protection to bonâ fide Purchasers.

LII. Every Receipt and Certificate purporting to be in discharge of the whole Duty payable for the Time being in respect of any Succession or any Part thereof, shall exonerate a *bonâ fide* Purchaser for valuable Consideration, and without Notice, from such Duty, notwithstanding any Suppression or Mis-statement in the Account upon the Footing whereof the same may have been assessed, or any Insufficiency of such Assessment; and no *bonâ fide* Purchaser of Property for valuable Consideration under a Title not appearing to confer a Succession shall be subject to any Duty with which such Property may be chargeable under the Provisions of this Act, by reason of any extrinsic Circumstances of which he shall not have had Notice at the Time of such Purchase.

Court in Suits for the Administration of Property to provide for Payment of Duty.

LIII. Whenever any Suit shall be pending in any Court for the Administration of any Property chargeable with Duty under this Act or the Legacy Duty Acts, such Court shall provide, out of any Property which may be in the Possession or Control of the Court, for the Payment of Duty to the Commissioners.

Commencement of Act.

LIV. This Act shall be taken to have come into operation on the Nineteenth Day of *May* One thousand eight hundred and fifty-three, and shall take effect accordingly.

Short Title.

LV. This Act may be cited for all Purposes as "The Succession Duty Act, 1853."

The SCHEDULE to which this Act refers.

TABLE I.

The Values of an Annuity of £100 per Annum held on a single Life.

Years of Age.	Values. £	s.	d.	Years of Age.	Values. £	s.	d.
Birth	1,892	8	6	48	1,300	9	6
1	1,906	13	0	49	1,271	19	6
2	1,919	2	0	50	1,242	19	6
3	1,926	8	0	51	1,213	17	0
4	1,928	16	0	52	1,185	14	0
5	1,926	19	6	53	1,157	17	6
6	1,921	12	0	54	1,130	13	0
7	1,913	4	6	55	1,103	18	0
8	1,902	16	6	56	1,077	10	0
9	1,890	19	6	57	1,051	10	0
10	1,878	3	0	58	1,025	10	0
11	1,864	7	0	59	999	1	0
12	1,849	12	0	60	972	1	0
13	1,833	18	6	61	943	15	6
14	1,817	7	6	62	914	2	0
15	1,800	8	6	63	883	6	0
16	1,783	13	0	64	852	9	0
17	1,767	16	0	65	821	12	6
18	1,753	5	6	66	790	15	0
19	1,740	11	0	67	761	19	0
20	1,729	9	6	68	733	8	6
21	1,719	17	0	69	705	4	0
22	1,713	1	0	70	677	9	0
23	1,706	16	6	71	650	8	0
24	1,700	11	6	72	623	19	6
25	1,694	0	0	73	597	7	6
26	1,686	14	6	74	569	13	0
27	1,677	5	6	75	541	0	6
28	1,667	1	0	76	511	9	6
29	1,656	1	0	77	477	17	0
30	1,644	7	6	78	444	9	6
31	1,632	0	0	79	412	9	6
32	1,619	0	6	80	381	3	0
33	1,605	4	0	81	350	14	6
34	1,590	9	6	82	321	14	6
35	1,574	17	6	83	292	10	0
36	1,558	9	6	84	263	2	0
37	1,541	10	6	85	234	18	6
38	1,524	0	0	86	207	16	0
39	1,506	1	6	87	184	11	6
40	1,487	10	0	88	164	17	6
41	1,468	4	0	89	148	7	0
42	1,447	11	6	90	133	9	0
43	1,426	2	0	91	122	16	0
44	1,403	10	0	92	107	7	0
45	1,379	14	6	93	93	3	0
46	1,354	16	6	94	79	8	6
47	1,328	2	6	95	64	11	0

TABLE II.

The Values of an Annuity of £100 per Annum, held on the Joint Continuance of Two Lives.

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
95	95	23	13	0	95	56	62	3	6	95	17	63	16	6
95	94	26	9	6	95	55	62	6	6	95	16	63	18	6
95	93	28	18	6	95	54	62	9	6	95	15	64	0	0
95	92	31	8	0	95	53	62	12	6	95	14	64	1	0
95	91	33	19	0	95	52	62	15	6	95	13	64	1	6
95	90	34	16	0	95	51	62	18	6	95	12	64	1	6
95	89	37	1	6	95	50	63	2	0	95	11	64	1	6
95	88	39	4	6	95	49	63	4	0	95	10	64	1	6
95	87	41	13	0	95	48	63	5	6	95	9	64	1	0
95	86	44	4	0	95	47	63	6	6	95	8	64	0	6
95	85	46	16	0	95	46	63	7	6	95	7	64	0	0
95	84	48	15	6	95	45	63	7	0	95	6	63	18	6
95	83	50	9	6	95	44	63	7	0	95	5	63	16	6
95	82	51	15	6	95	43	63	7	6	95	4	63	14	0
95	81	52	16	6	95	42	63	7	6	95	3	63	10	6
95	80	53	19	6	95	41	63	7	6	95	2	63	6	0
95	79	55	0	0	95	40	63	7	6	95	1	63	1	0
95	78	55	18	0	95	39	63	7	6	95	0	62	18	0
95	77	56	16	0	95	38	63	8	0					
95	76	57	10	0	95	37	63	8	6					
95	75	57	13	0	95	36	63	9	0	94	94	29	19	0
95	74	57	18	6	95	35	63	9	0	94	93	32	19	0
95	73	58	4	6	95	34	63	9	6	94	92	35	19	0
95	72	58	9	6	95	33	63	9	0	94	91	39	1	0
95	71	58	15	6	95	32	63	9	0	94	90	40	5	6
95	70	59	10	0	95	31	63	9	0	94	89	43	0	0
95	69	59	10	6	95	30	63	9	0	94	88	45	13	6
95	68	59	17	6	95	29	63	9	0	94	87	48	14	0
95	67	60	3	6	95	28	63	9	0	94	86	51	18	6
95	66	60	9	6	95	27	63	8	6	94	85	55	5	0
95	65	60	17	6	95	26	63	8	6	94	84	57	17	6
95	64	61	3	0	95	25	63	7	0	94	83	60	3	0
95	63	61	7	6	95	24	63	6	6	94	82	61	18	0
95	62	61	12	0	95	23	63	6	6	94	81	63	7	0
95	61	61	14	6	95	22	63	6	6	94	80	64	17	6
95	60	61	15	6	95	21	63	7	0	94	79	66	5	0
95	59	61	17	0	95	20	63	9	6	94	78	67	9	6
95	58	61	18	6	95	19	63	12	0	94	77	68	13	6
95	57	62	1	0	95	18	63	14	0	94	76	69	13	6

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s	d.			£	s.	d.			£	s.	d.
94	75	69	19	0	94	31	77	18	0	93	83	68	13	6
94	74	70	6	6	94	30	77	18	0	93	82	70	17	6
94	73	70	14	6	94	29	77	18	0	93	81	72	14	0
94	72	71	1	6	94	28	77	17	6	93	80	74	12	0
94	71	71	9	6	94	27	77	17	6	93	79	76	6	6
94	70	71	19	0	94	26	77	17	0	93	78	77	17	0
94	69	72	9	0	94	25	77	15	6	93	77	79	7	6
94	68	72	18	6	94	24	77	14	6	93	76	80	12	6
94	67	73	7	6	94	23	77	14	0	93	75	81	1	0
94	66	73	15	6	94	22	77	14	6	93	74	81	11	0
94	65	74	6	0	94	21	77	15	6	93	73	82	1	0
94	64	74	14	0	94	20	77	18	6	93	72	82	9	6
94	63	75	0	6	94	19	78	1	6	93	71	82	19	6
94	62	75	6	0	94	18	78	4	6	93	70	83	11	6
94	61	75	10	0	94	17	78	7	6	93	69	84	4	6
94	60	75	12	0	94	16	78	10	6	93	68	84	16	6
94	59	75	13	6	94	15	78	13	0	93	67	85	7	6
94	58	75	16	0	94	14	78	14	6	93	66	85	17	6
94	57	75	19	0	94	13	78	15	6	93	65	86	11	0
94	56	76	2	0	94	12	78	15	6	93	64	87	1	0
94	55	76	6	0	94	11	78	15	6	93	63	87	9	6
94	54	76	10	6	94	10	78	15	0	93	62	87	17	0
94	53	76	14	6	94	9	78	14	6	93	61	88	2	0
94	52	76	19	0	94	8	78	14	0	93	60	88	5	0
94	51	77	3	0	94	7	78	13	0	93	59	88	7	0
94	50	77	7	6	94	6	78	11	6	93	58	88	10	0
94	49	77	10	6	94	5	78	8	6	93	57	88	13	6
94	48	77	13	0	94	4	78	5	0	93	56	88	18	0
94	47	77	14	6	94	3	78	0	6	93	55	89	3	0
94	46	77	15	6	94	2	77	14	6	93	54	89	8	0
94	45	77	15	6	94	1	77	8	0	93	53	89	13	6
94	44	77	15	6	94	0	77	4	0	93	52	89	19	0
94	43	77	15	6						93	51	90	4	0
94	42	77	15	6						93	50	90	10	0
94	41	77	16	0	93	93	36	8	6	93	49	90	14	0
94	40	77	16	0	93	92	39	18	0	93	48	90	17	6
94	39	77	16	0	93	91	43	9	6	93	47	90	19	6
94	38	77	16	6	93	90	44	19	6	93	46	91	1	0
94	37	77	17	0	93	89	48	2	6	93	45	91	1	0
94	36	77	17	6	93	88	51	5	0	93	44	91	1	0
94	35	77	18	0	93	87	54	16	0	93	43	91	1	0
94	34	77	18	6	93	86	58	12	6	93	42	91	1	0
94	33	77	18	6	93	85	62	12	0	93	41	91	1	6
94	32	77	18	0	93	84	65	17	0	93	40	91	1	6

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
93	39	91	1	6	92	90	49	13	6	92	46	104	14	0
93	38	91	2	0	92	89	53	5	0	92	45	104	14	6
93	37	91	3	0	92	88	56	16	6	92	44	104	14	6
93	36	91	3	6	92	87	60	18	6	92	43	104	14	6
93	35	91	4	0	92	86	65	6	6	92	42	104	15	0
93	34	91	4	6	92	85	69	19	6	92	41	104	15	0
93	33	91	4	6	92	84	73	16	6	92	40	104	15	0
93	32	91	4	0	92	83	77	4	0	92	39	104	15	6
93	31	91	4	0	92	82	79	18	0	92	38	104	16	0
93	30	91	4	0	92	81	82	2	6	92	37	104	17	0
93	29	91	4	0	92	80	84	8	0	92	36	104	17	6
93	28	91	3	6	92	79	86	10	0	92	35	104	18	6
93	27	91	3	6	92	78	88	7	6	92	34	104	19	0
93	26	91	3	0	92	77	90	4	6	92	33	104	19	0
93	25	91	1	0	92	76	91	15	0	92	32	104	18	6
93	24	91	0	0	92	75	92	7	0	92	31	104	18	6
93	23	90	19	6	92	74	93	0	0	92	30	104	18	6
93	22	90	19	6	92	73	93	12	0	92	29	104	18	0
93	21	91	0	6	92	72	94	3	0	92	28	104	18	0
93	20	91	4	6	92	71	94	15	0	92	27	104	17	6
93	19	91	8	0	92	70	95	9	6	92	26	104	17	0
93	18	91	12	0	92	69	96	5	0	92	25	104	15	0
93	17	91	16	0	92	68	96	19	6	92	24	104	13	6
93	16	91	19	6	92	67	97	13	0	92	23	104	13	0
93	15	92	3	0	92	66	98	6	0	92	22	104	13	0
93	14	92	5	0	92	65	99	2	0	92	21	104	14	0
93	13	92	6	0	92	64	99	14	6	92	20	104	18	6
93	12	92	6	6	92	63	100	5	0	92	19	105	3	0
93	11	92	6	0	92	62	100	14	6	92	18	105	7	6
93	10	92	6	0	92	61	101	1	0	92	17	105	12	6
93	9	92	5	6	92	60	101	5	0	92	16	105	17	0
93	8	92	4	6	92	59	101	8	0	92	15	106	1	0
93	7	92	3	6	92	58	101	11	6	92	14	106	4	0
93	6	92	1	6	92	57	101	16	0	92	13	106	5	6
93	5	91	18	0	92	56	102	1	0	92	12	106	6	0
93	4	91	13	6	92	55	102	7	0	92	11	106	6	0
93	3	91	8	0	92	54	102	13	6	92	10	106	5	6
93	2	91	0	6	92	53	103	0	0	92	9	106	5	0
93	1	90	12	6	92	52	103	6	6	92	8	106	4	0
93	0	90	7	0	92	51	103	13	0	92	7	106	2	6
					92	50	104	0	0	92	6	106	0	6
					92	49	104	5	6	92	5	105	16	6
92	92	43	16	6	92	48	104	9	6	92	4	105	11	0
92	91	47	17	6	92	47	104	12	6	92	3	105	4	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
92	2	104	15	0	91	52	117	17	6	91	8	121	8	6
92	1	104	5	0	91	51	118	5	0	91	7	121	6	6
92	0	103	18	0	91	50	118	13	6	91	6	121	4	0
					91	49	119	0	6	91	5	120	19	0
					91	48	119	5	6	91	4	120	12	6
91	91	52	9	6	91	47	119	9	0	91	3	120	4	6
91	90	54	11	0	91	46	119	11	6	91	2	119	14	0
91	89	58	11	6	91	45	119	12	0	91	1	119	2	0
91	88	62	13	6	91	44	119	12	0	91	0	118	13	0
91	87	67	6	6	91	43	119	12	6					
91	86	72	7	6	91	42	119	12	6					
91	85	77	14	6	91	41	119	13	0	90	90	56	17	6
91	84	82	5	0	91	40	119	12	6	90	89	61	3	6
91	83	86	5	0	91	39	119	13	0	90	88	65	11	6
91	82	89	9	6	91	38	119	13	6	90	87	70	12	0
91	81	92	3	0	91	37	119	15	0	90	86	76	2	0
91	80	94	17	6	91	36	119	16	0	90	85	81	19	0
91	79	97	7	6	91	35	119	17	0	90	84	86	19	6
91	78	99	12	6	91	34	119	17	6	90	83	91	9	0
91	77	101	17	0	91	33	119	17	6	90	82	95	2	0
91	76	103	14	0	91	32	119	17	0	90	81	98	3	0
91	75	104	10	0	91	31	119	17	0	90	80	101	4	6
91	74	105	6	0	91	30	119	17	0	90	79	104	1	0
91	73	106	1	0	91	29	119	16	6	90	78	106	12	6
91	72	106	14	0	91	28	119	16	6	90	77	109	3	0
91	71	107	8	6	91	27	119	16	0	90	76	111	5	6
91	70	108	6	0	91	26	119	15	6	90	75	112	5	6
91	69	109	4	6	91	25	119	13	0	90	74	113	4	0
91	68	110	2	0	91	24	119	11	0	90	73	114	1	6
91	67	110	18	6	91	23	119	10	0	90	72	114	17	0
91	66	111	14	0	91	22	119	10	0	90	71	115	13	6
91	65	112	13	0	91	21	119	11	6	90	70	116	13	0
91	64	113	8	6	91	20	119	16	6	90	69	117	14	0
91	63	114	2	0	91	19	120	2	0	90	68	118	14	0
91	62	114	13	6	91	18	120	7	6	90	67	119	13	0
91	61	115	1	6	91	17	120	13	6	90	66	120	10	6
91	60	115	6	6	91	16	120	19	0	90	65	121	12	6
91	59	115	10	6	91	15	121	4	0	90	64	122	10	6
91	58	115	15	0	91	14	121	7	6	90	63	123	6	0
91	57	116	0	0	91	13	121	9	6	90	62	123	19	6
91	56	116	6	0	91	12	121	10	6	90	61	124	9	0
91	55	116	13	6	91	11	121	10	6	90	60	124	15	6
91	54	117	1	0	91	10	121	10	0	90	59	125	0	0
91	53	117	9	0	91	9	121	9	0	90	58	125	5	0

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
90	57	125	11	0	90	13	131	18	0	89	61	137	15	6
90	56	125	18	0	90	12	131	19	0	89	60	138	3	0
90	55	126	6	6	90	11	131	19	0	89	59	138	8	6
90	54	126	15	0	90	10	131	18	6	89	58	138	15	0
90	53	127	4	0	90	9	131	18	0	89	57	139	2	0
90	52	127	13	6	90	8	131	17	0	89	56	139	10	0
90	51	128	2	6	90	7	131	15	0	89	55	139	19	6
90	50	128	12	6	90	6	131	12	0	89	54	140	9	6
90	49	129	0	6	90	5	131	6	6	89	53	141	0	0
90	48	129	6	6	90	4	130	19	6	89	52	141	11	0
90	47	129	10	6	90	3	130	10	0	89	51	142	1	6
90	46	129	13	6	90	2	129	18	0	89	50	142	13	0
90	45	129	14	0	90	1	129	4	6	89	49	143	2	0
90	44	129	14	6	90	0	128	14	0	89	48	143	9	6
90	43	129	15	0						89	47	143	14	6
90	42	129	15	0						89	46	143	18	6
90	41	129	15	6	89	89	65	18	0	89	45	143	19	6
90	40	129	15	6	89	88	70	14	6	89	44	144	0	0
90	39	129	16	0	89	87	76	5	0	89	43	144	0	6
90	38	129	16	6	89	86	82	6	6	89	42	144	0	6
90	37	129	18	0	89	85	88	16	6	89	41	144	1	6
90	36	129	19	0	89	84	94	9	6	89	40	144	1	0
90	35	130	0	0	89	83	99	10	6	89	39	144	1	6
90	34	130	1	0	89	82	103	14	6	89	38	144	2	6
90	33	130	1	0	89	81	107	4	6	89	37	144	3	6
90	32	130	0	6	89	80	110	15	0	89	36	144	5	0
90	31	130	0	6	89	79	114	0	0	89	35	144	6	6
90	30	130	0	0	89	78	116	19	6	89	34	144	7	0
90	29	130	0	0	89	77	119	17	0	89	33	144	7	6
90	28	130	0	0	89	76	122	7	0	89	32	144	7	0
90	27	129	19	6	89	75	123	11	0	89	31	144	7	0
90	26	129	19	0	89	74	124	13	6	89	30	144	6	6
90	25	129	16	0	89	73	125	14	0	89	29	144	6	6
90	24	129	14	0	89	72	126	12	0	89	28	144	6	0
90	23	129	13	0	89	71	127	11	6	89	27	144	5	6
90	22	129	12	6	89	70	128	13	6	89	26	144	5	0
90	21	129	14	0	89	69	129	17	6	89	25	144	1	6
90	20	129	19	6	89	68	131	1	0	89	24	143	19	6
90	19	130	5	6	89	67	132	3	0	89	23	143	18	0
90	18	130	12	0	89	66	133	3	6	89	22	143	18	0
90	17	130	19	0	89	65	134	9	0	89	21	143	19	6
90	16	131	5	6	89	64	135	10	0	89	20	144	5	6
90	15	131	11	0	89	63	136	8	0	89	19	144	12	6
90	14	131	15	6	89	62	137	4	0	89	18	144	19	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
89	17	145	7	6	88	64	149	14	6	88	20	160	1	6
89	16	145	15	0	88	63	150	15	6	88	19	160	9	6
89	15	146	2	0	88	62	151	14	6	88	18	160	17	6
89	14	146	7	0	88	61	152	8	6	88	17	161	7	0
89	13	146	10	6	88	60	152	17	6	88	16	161	15	6
89	12	146	11	6	88	59	153	4	6	88	15	162	3	6
89	11	146	12	0	88	58	153	12	0	88	14	162	10	0
89	10	146	11	6	88	57	154	0	0	88	13	162	14	0
89	9	146	10	6	88	56	154	9	6	88	12	162	15	6
89	8	146	9	6	88	55	155	0	6	88	11	162	16	0
89	7	146	7	6	88	54	155	12	0	88	10	162	16	0
89	6	146	4	0	88	53	156	4	6	88	9	162	15	0
89	5	145	18	0	88	52	156	17	0	88	8	162	13	6
89	4	145	10	0	88	51	157	9	0	88	7	162	11	6
89	3	144	19	0	88	50	158	2	6	88	6	162	7	6
89	2	144	5	6	88	49	158	13	6	88	5	162	0	6
89	1	143	10	0	88	48	159	2	0	88	4	161	11	0
89	0	142	17	6	88	47	159	8	6	88	3	160	19	0
					88	46	159	13	0	88	2	160	3	6
					88	45	159	14	6	88	1	159	5	6
88	88	76	1	0	88	44	159	15	6	88	0	158	11	0
88	87	82	2	6	88	43	159	16	0					
88	86	88	17	6	88	42	159	16	6					
88	85	96	1	6	88	41	159	17	0	87	87	88	18	0
88	84	102	8	6	88	40	159	17	0	87	86	96	7	6
88	83	108	3	0	88	39	159	17	6	87	85	104	9	0
88	82	112	18	6	88	38	159	18	0	87	84	111	12	6
88	81	116	19	6	88	37	160	0	0	87	83	118	3	0
88	80	121	0	0	88	36	160	1	6	87	82	123	13	0
88	79	124	14	6	88	35	160	3	0	87	81	128	6	6
88	78	128	3	0	88	34	160	4	0	87	80	132	19	6
88	77	131	9	6	88	33	160	4	0	87	79	137	5	6
88	76	134	7	6	88	32	160	4	0	87	78	141	5	0
88	75	135	16	6	88	31	160	3	6	87	77	145	2	0
88	74	137	3	6	88	30	160	3	6	87	76	148	9	6
88	73	138	7	6	88	29	160	3	0	87	75	150	5	6
88	72	139	8	6	88	28	160	3	0	87	74	151	17	6
88	71	140	11	0	88	27	160	2	6	87	73	153	6	6
88	70	141	17	0	88	26	160	1	6	87	72	154	11	6
88	69	143	4	6	88	25	159	18	0	87	71	155	17	6
88	68	144	11	6	88	24	159	15	0	87	70	157	7	6
88	67	145	17	0	88	23	159	13	6	87	69	158	19	6
88	66	147	1	0	88	22	159	13	6	87	68	160	11	0
88	65	148	10	0	88	21	159	15	0	87	67	162	0	6

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
87	66	163	9	0	87	22	178	8	6	86	67	180	18	0
87	65	165	2	6	87	21	178	10	0	86	66	182	11	6
87	64	166	11	6	87	20	178	17	6	86	65	184	11	0
87	63	167	16	6	87	19	179	6	6	86	64	186	5	0
87	62	168	19	0	87	18	179	16	0	86	63	187	15	0
87	61	169	15	6	87	17	180	7	0	86	62	189	1	6
87	60	170	7	0	87	16	180	17	0	86	61	190	2	0
87	59	170	15	6	87	15	181	6	6	86	60	190	16	0
87	58	171	4	6	87	14	181	14	0	86	59	191	6	6
87	57	171	14	0	87	13	181	19	0	86	58	191	17	6
87	56	172	5	0	87	12	182	1	6	86	57	192	9	0
87	55	172	17	6	87	11	182	2	0	86	56	193	1	6
87	54	173	11	6	87	10	182	2	0	86	55	193	16	6
87	53	174	5	6	87	9	182	1	0	86	54	194	12	6
87	52	175	0	6	87	8	181	19	6	86	53	195	9	6
87	51	175	14	6	87	7	181	17	0	86	52	196	7	0
87	50	176	10	0	87	6	181	12	6	86	51	197	4	0
87	49	177	3	6	87	5	181	4	6	86	50	198	2	0
87	48	177	13	6	87	4	180	14	0	86	49	198	18	0
87	47	178	1	6	87	3	179	19	6	86	48	199	10	6
87	46	178	7	0	87	2	179	1	6	86	47	200	0	0
87	45	178	9	0	87	1	178	1	0	86	46	200	7	0
87	44	178	10	6	87	0	177	4	0	86	45	200	9	6
87	43	178	11	0						86	44	200	11	6
87	42	178	11	6						86	43	200	12	6
87	41	178	12	6	86	86	104	15	0	86	42	200	13	6
87	40	178	12	6	86	85	113	16	6	86	41	200	14	6
87	39	178	13	0	86	84	121	19	6	86	40	200	14	0
87	38	178	14	0	86	83	129	9	0	86	39	200	15	0
87	37	178	15	6	86	82	135	16	0	86	38	200	16	0
87	36	178	17	6	86	81	141	5	0	86	37	200	18	0
87	35	178	19	6	86	80	146	12	6	86	36	201	0	6
87	34	179	0	6	86	79	151	13	6	86	35	201	2	6
87	33	179	1	0	86	78	156	6	0	86	34	201	3	6
87	32	179	0	6	86	77	160	16	0	86	33	201	4	6
87	31	179	0	6	86	76	164	15	6	86	32	201	4	0
87	30	179	0	0	86	75	166	19	0	86	31	201	3	6
87	29	179	0	0	86	74	168	18	0	86	30	201	3	6
87	28	178	19	6	86	73	170	12	6	86	29	201	3	0
87	27	178	19	0	86	72	172	2	6	86	28	201	3	0
87	26	178	18	0	86	71	173	13	6	86	27	201	2	0
87	25	178	13	6	86	70	175	8	6	86	26	201	1	0
87	24	178	10	6	86	69	177	6	0	86	25	200	16	6
87	23	178	8	6	86	68	179	3	0	86	24	200	12	6

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
86	23	200	10	6	85	67	202	11	6	85	23	226	4	0
86	22	200	9	6	85	66	204	11	0	85	22	226	3	6
86	21	200	11	6	85	65	206	17	6	85	21	226	5	0
86	20	201	0	0	85	64	208	18	6	85	20	226	15	0
86	19	201	10	0	85	63	210	14	6	85	19	227	6	6
86	18	202	1	6	85	62	212	6	6	85	18	227	19	6
86	17	202	14	0	85	61	213	11	0	85	17	228	14	6
86	16	203	6	0	85	60	214	9	0	85	16	229	9	0
86	15	203	17	6	85	59	215	2	6	85	15	230	2	6
86	14	204	6	6	85	58	215	15	6	85	14	230	13	6
86	13	204	12	6	85	57	216	9	0	85	13	231	1	0
86	12	204	15	6	85	56	217	4	6	85	12	231	5	6
86	11	204	17	0	85	55	218	2	0	85	11	231	7	0
86	10	204	17	0	85	54	219	1	0	85	10	231	7	6
86	9	204	16	0	85	53	220	1	0	85	9	231	6	6
86	8	204	14	6	85	52	221	1	6	85	8	231	4	6
86	7	204	11	6	85	51	222	2	0	85	7	231	1	0
86	6	204	6	0	85	50	223	3	6	85	6	230	15	0
86	5	203	17	6	85	49	224	2	6	85	5	230	5	0
86	4	203	4	6	85	48	224	18	0	85	4	229	10	6
86	3	202	8	0	85	47	225	9	6	85	3	228	11	0
86	2	201	7	6	85	46	225	18	0	85	2	227	7	0
86	1	200	3	0	85	45	226	2	0	85	1	225	18	0
86	0	199	2	6	85	44	226	4	6	85	0	224	14	0
					85	43	226	6	0					
					85	42	226	7	0					
85	85	124	1	0	85	41	226	8	6	84	84	143	16	0
85	84	133	6	6	85	40	226	8	6	84	83	153	11	0
85	83	141	18	6	85	39	226	9	0	84	82	162	0	6
85	82	149	6	0	85	38	226	10	6	84	81	169	7	6
85	81	155	13	6	85	37	226	13	0	84	80	176	12	6
85	80	161	19	0	85	36	226	15	6	84	79	183	9	0
85	79	167	16	6	85	35	226	18	0	84	78	189	15	6
85	78	173	5	6	85	34	226	19	6	84	77	195	18	6
85	77	178	11	0	85	33	227	0	6	84	76	201	8	6
85	76	183	5	0	85	32	227	0	6	84	75	204	14	6
85	75	185	19	0	85	31	227	0	0	84	74	207	12	0
85	74	188	6	6	85	30	226	19	6	84	73	210	2	6
85	73	190	8	0	85	29	226	19	6	84	72	212	6	0
85	72	192	4	6	85	28	226	19	0	84	71	214	9	6
85	71	194	1	6	85	27	226	18	0	84	70	216	17	6
85	70	196	2	6	85	26	226	16	6	84	69	219	9	0
85	69	198	6	6	85	25	226	11	6	84	68	222	0	0
85	68	200	10	0	85	24	226	7	0	84	67	224	9	0

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
84	66	226	15	6	84	22	252	13	6	83	64	255	6	6
84	65	229	10	0	84	21	252	15	6	83	63	257	17	0
84	64	231	18	0	84	20	253	6	0	83	62	260	3	0
84	63	234	1	0	84	19	253	19	6	83	61	261	19	0
84	62	235	19	6	84	18	254	14	6	83	60	263	6	0
84	61	237	9	6	84	17	255	12	0	83	59	264	6	6
84	60	238	11	6	84	16	256	9	0	83	58	265	6	0
84	59	239	8	0	84	15	257	5	0	83	57	266	5	6
84	58	240	4	0	84	14	257	18	6	83	56	267	6	6
84	57	241	0	6	84	13	258	8	0	83	55	268	11	0
84	56	241	18	6	84	12	258	13	6	83	54	269	16	6
84	55	242	19	6	84	11	258	16	0	83	53	271	4	0
84	54	244	1	6	84	10	258	16	6	83	52	272	12	6
84	53	245	5	0	84	9	258	16	0	83	51	274	0	6
84	52	246	9	6	84	8	258	14	0	83	50	275	11	0
84	51	247	13	0	84	7	258	10	0	83	49	276	17	6
84	50	248	19	0	84	6	258	3	0	83	48	277	19	6
84	49	250	1	6	84	5	257	11	6	83	47	278	17	0
84	48	251	0	0	84	4	256	14	6	83	46	279	10	6
84	47	251	14	6	84	3	255	12	6	83	45	279	17	6
84	46	252	5	0	84	2	254	4	0	83	44	280	2	0
84	45	252	10	6	84	1	252	10	6	83	43	280	5	0
84	44	252	14	0	84	0	251	2	0	83	42	280	7	0
84	43	252	16	0						83	41	280	9	0
84	42	252	17	6						83	40	280	9	6
84	41	252	19	0	83	83	164	10	0	83	39	280	10	6
84	40	252	19	0	83	82	174	2	6	83	38	280	12	0
84	39	253	0	0	83	81	182	11	0	83	37	280	15	6
84	38	253	1	6	83	80	190	16	6	83	36	280	18	6
84	37	253	4	6	83	79	198	13	0	83	35	281	2	0
84	36	253	7	6	83	78	205	19	0	83	34	281	4	6
84	35	253	10	0	83	77	213	1	0	83	33	281	6	0
84	34	253	12	0	83	76	219	9	0	83	32	281	6	0
84	33	253	13	0	83	75	223	8	6	83	31	281	5	6
84	32	253	13	6	83	74	226	17	6	83	30	281	5	6
84	31	253	13	0	83	73	229	17	6	83	29	281	5	0
84	30	253	12	6	83	72	232	9	0	83	28	281	4	6
84	29	253	12	0	83	71	235	0	6	83	27	281	3	6
84	28	253	11	6	83	70	237	16	6	83	26	281	1	6
84	27	253	10	6	83	69	240	16	0	83	25	280	15	0
84	26	253	9	6	83	68	243	15	0	83	24	280	9	0
84	25	253	3	0	83	67	246	12	6	83	23	280	5	0
84	24	252	18	0	83	66	249	7	0	83	22	280	3	6
84	23	252	14	6	83	65	252	10	0	83	21	280	5	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
83	20	280	17	0	82	61	285	14	6	82	17	311	0	6
83	19	281	12	0	82	60	287	7	0	82	16	312	3	6
83	18	282	9	6	82	59	288	12	0	82	15	313	5	6
83	17	283	9	6	82	58	289	16	0	82	14	314	4	0
83	16	284	9	6	82	57	290	19	0	82	13	314	18	0
83	15	285	8	6	82	56	292	3	6	82	12	315	7	0
83	14	286	4	0	82	55	293	11	6	82	11	315	12	0
83	13	286	16	0	82	54	295	1	0	82	10	315	14	0
83	12	287	3	0	82	53	296	12	6	82	9	315	14	0
83	11	287	6	6	82	52	298	5	6	82	8	315	12	0
83	10	287	8	0	82	51	299	18	0	82	7	315	7	6
83	9	287	7	0	82	50	301	13	0	82	6	314	19	0
83	8	287	5	6	82	49	303	4	6	82	5	314	4	0
83	7	287	1	0	82	48	304	10	6	82	4	313	2	6
83	6	286	13	6	82	47	305	11	6	82	3	311	13	6
83	5	286	0	0	82	46	306	8	0	82	2	309	16	6
83	4	285	1	0	82	45	306	17	0	82	1	307	12	6
83	3	283	15	6	82	44	307	3	0	82	0	305	13	6
83	2	282	3	0	82	43	307	7	0					
83	1	280	4	0	82	42	307	9	6					
83	0	278	10	6	82	41	307	12	0	81	81	204	17	6
					82	40	307	13	0	81	80	215	5	6
					82	39	307	14	0	81	79	225	3	6
82	82	184	16	6	82	38	307	16	0	81	78	234	9	0
82	81	194	6	6	82	37	307	19	6	81	77	243	10	6
82	80	203	13	6	82	36	308	3	6	81	76	251	16	0
82	79	212	11	0	82	35	308	7	6	81	75	257	6	0
82	78	220	16	6	82	34	308	10	6	81	74	262	1	0
82	77	228	18	0	82	33	308	12	0	81	73	266	4	0
82	76	236	4	6	82	32	308	12	6	81	72	269	15	0
82	75	240	18	6	82	31	308	12	0	81	71	273	4	6
82	74	245	0	6	82	30	308	12	0	81	70	276	18	0
82	73	248	11	6	82	29	308	11	6	81	69	280	14	6
82	72	251	12	6	82	28	308	10	6	81	68	284	11	6
82	71	254	12	6	82	27	308	9	6	81	67	288	6	6
82	70	257	16	6	82	26	308	7	6	81	66	291	18	6
82	69	261	4	6	82	25	308	0	0	81	65	296	1	0
82	68	264	12	6	82	24	307	13	6	81	64	299	15	0
82	67	267	18	6	82	23	307	9	0	81	63	303	3	0
82	66	271	1	6	82	22	307	6	6	81	62	306	5	6
82	65	274	14	0	82	21	307	8	6	81	61	308	15	6
82	64	277	19	0	82	20	308	1	6	81	60	310	14	0
82	63	280	18	0	82	19	308	18	0	81	59	312	4	6
82	62	283	12	0	82	18	309	17	6	81	58	313	12	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
81	57	314	19	6	81	13	342	13	6	80	52	349	8	0
81	56	316	8	0	81	12	343	4	6	80	51	351	10	6
81	55	318	0	0	81	11	343	11	0	80	50	353	16	0
81	54	319	14	0	81	10	343	14	0	80	49	355	17	6
81	53	321	9	6	81	9	343	14	0	80	48	357	13	0
81	52	323	7	6	81	8	343	12	6	80	47	359	2	0
81	51	325	4	6	81	7	343	7	6	80	46	360	5	6
81	50	327	4	6	81	6	342	18	0	80	45	360	19	6
81	49	329	0	6	81	5	342	2	0	80	44	361	9	6
81	48	330	11	6	81	4	340	18	0	80	43	361	16	6
81	47	331	16	0	81	3	339	5	6	80	42	362	1	6
81	46	332	16	0	81	2	337	4	6	80	41	362	5	6
81	45	333	7	0	81	1	334	14	6	80	40	362	7	0
81	44	333	15	0	81	0	332	10	0	80	39	362	9	0
81	43	334	0	6						80	38	362	12	0
81	42	334	4	0						80	37	362	16	0
81	41	334	7	0	80	80	226	15	0	80	36	363	1	0
81	40	334	8	0	80	79	237	14	0	80	35	363	6	0
81	39	334	9	6	80	78	248	0	6	80	34	363	10	0
81	38	334	12	0	80	77	258	3	0	80	33	363	12	0
81	37	334	16	0	80	76	267	8	6	80	32	363	13	0
81	36	335	0	6	80	75	273	15	0	80	31	363	13	0
81	35	335	5	0	80	74	279	5	0	80	30	363	13	0
81	34	335	8	0	80	73	284	1	0	80	29	363	12	6
81	33	335	10	0	80	72	288	3	6	80	28	363	12	0
81	32	335	11	0	80	71	292	3	0	80	27	363	10	6
81	31	335	10	6	80	70	296	6	6	80	26	363	8	0
81	30	335	10	6	80	69	300	13	0	80	25	362	19	0
81	29	335	10	0	80	68	305	0	0	80	24	362	11	0
81	28	335	9	6	80	67	309	4	6	80	23	362	5	0
81	27	335	8	0	80	66	313	6	0	80	22	362	1	6
81	26	335	6	0	80	65	317	18	6	80	21	362	3	0
81	25	334	17	6	80	64	322	3	0	80	20	362	18	0
81	24	334	10	6	80	63	326	1	0	80	19	363	17	6
81	23	334	5	0	80	62	329	12	6	80	18	365	2	0
81	22	334	2	0	80	61	332	10	6	80	17	366	10	0
81	21	334	4	0	80	60	334	16	0	80	16	367	19	6
81	20	334	17	6	80	59	336	12	0	80	15	369	8	6
81	19	335	16	0	80	58	338	5	6	80	14	370	13	6
81	18	336	18	0	80	57	339	17	0	80	13	371	13	0
81	17	338	3	0	80	56	341	10	0	80	12	372	6	6
81	16	339	9	6	80	55	343	6	6	80	11	372	15	0
81	15	340	15	0	80	54	345	5	0	80	10	372	19	0
81	14	341	16	6	80	53	347	5	6	80	9	373	0	6

TABLE II—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
80	8	372	19	0	79	46	388	6	0	79	2	395	6	0
80	7	372	14	0	79	45	389	3	6	79	1	392	4	0
80	6	372	4	0	79	44	389	16	0	79	0	389	7	6
80	5	371	6	0	79	43	390	5	0					
80	4	369	19	6	79	42	390	11	0					
80	3	368	3	6	79	41	390	16	6	78	78	273	12	0
80	2	365	17	6	79	40	390	18	6	78	77	285	17	6
80	1	363	2	0	79	39	391	1	0	78	76	297	5	0
80	0	360	11	6	79	38	391	4	6	78	75	305	7	0
					79	37	391	9	6	78	74	312	9	6
					79	36	391	15	0	78	73	318	14	6
79	79	249	14	6	79	35	392	0	6	78	72	324	2	6
79	78	261	2	6	79	34	392	4	6	78	71	329	6	0
79	77	272	6	6	79	33	392	7	6	78	70	334	12	0
79	76	282	12	6	79	32	392	8	6	78	69	340	1	0
79	75	289	16	6	79	31	392	9	0	78	68	345	9	6
79	74	296	2	0	79	30	392	9	0	78	67	350	15	6
79	73	301	12	0	79	29	392	8	6	78	66	355	18	6
79	72	306	7	0	79	28	392	8	0	78	65	361	13	6
79	71	310	18	0	79	27	392	6	6	78	64	367	0	0
79	70	315	12	0	79	26	392	4	0	78	63	371	19	0
79	69	320	10	0	79	25	391	14	0	78	62	376	10	6
79	68	325	7	0	79	24	391	5	0	78	61	380	7	6
79	67	330	2	0	79	23	390	18	0	78	60	383	9	0
79	66	334	14	0	79	22	390	14	6	78	59	385	18	6
79	65	339	17	6	79	21	390	15	6	78	58	388	4	0
79	64	344	13	0	79	20	391	11	6	78	57	390	7	0
79	63	349	1	0	79	19	392	12	6	78	56	392	10	6
79	62	353	2	0	79	18	393	19	0	78	55	394	17	0
79	61	356	9	0	79	17	395	10	6	78	54	397	6	0
79	60	359	2	6	79	16	397	3	6	78	53	399	17	6
79	59	361	5	0	79	15	398	16	0	78	52	402	11	6
70	58	363	4	0	79	14	400	4	6	78	51	405	5	0
79	57	365	1	0	79	13	401	7	0	78	50	408	3	0
79	56	366	19	0	79	12	402	3	6	78	49	410	16	0
79	55	369	0	0	79	11	402	13	6	78	48	413	2	6
79	54	371	3	6	79	10	402	19	6	78	47	415	1	6
79	53	373	9	6	79	9	403	1	6	78	46	416	13	6
79	52	375	17	6	79	8	403	1	0	78	45	417	14	6
79	51	378	5	6	79	7	402	15	6	78	44	418	10	0
79	50	380	17	0	79	6	402	5	0	78	43	419	1	6
79	49	383	4	0	79	5	401	5	6	78	42	419	9	0
79	48	385	5	0	79	4	399	16	6	78	41	419	16	0
79	47	386	18	6	79	3	397	17	0	78	40	419	19	0

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
78	39	420	2	0	77	75	320	16	6	77	31	452	1	6
78	38	420	6	0	77	74	328	16	0	77	30	452	1	6
78	37	420	11	6	77	73	335	17	0	77	29	452	1	6
78	36	420	17	6	77	72	341	19	6	77	28	452	1	0
78	35	421	4	0	77	71	347	16	0	77	27	451	19	6
78	34	421	9	0	77	70	353	14	6	77	26	451	16	6
78	33	421	12	0	77	69	359	16	0	77	25	451	5	0
78	32	421	13	6	77	68	365	17	0	77	24	450	14	0
78	31	421	14	0	77	67	371	15	0	77	23	450	5	6
78	30	421	14	0	77	66	377	9	6	77	22	450	0	6
78	29	421	14	0	77	65	383	17	0	77	21	450	1	6
78	28	421	13	6	77	64	389	15	6	77	20	450	19	0
78	27	421	11	6	77	63	395	6	0	77	19	452	3	6
78	26	421	9	0	77	62	400	9	0	77	18	453	14	6
78	25	420	18	6	77	61	404	16	0	77	17	455	12	0
78	24	420	8	6	77	60	408	6	6	77	16	457	12	0
78	23	420	1	0	77	59	411	4	6	77	15	459	12	6
78	22	419	16	6	77	58	413	17	0	77	14	461	8	6
78	21	419	17	6	77	57	416	6	0	77	13	462	18	6
78	20	420	14	0	77	56	418	16	0	77	12	464	0	6
78	19	421	17	0	77	55	421	9	0	77	11	464	16	0
78	18	423	6	0	77	54	424	4	0	77	10	465	5	6
78	17	425	0	0	77	53	427	1	6	77	9	465	10	6
78	16	426	16	6	77	52	430	1	6	77	8	465	11	6
78	15	428	12	6	77	51	433	2	0	77	7	465	6	6
78	14	430	5	0	77	50	436	6	0	77	6	464	15	0
78	13	431	11	6	77	49	439	5	6	77	5	463	12	6
78	12	432	10	6	77	48	441	18	6	77	4	461	18	0
78	11	433	3	0	77	47	444	3	6	77	3	459	11	0
78	10	433	10	6	77	46	446	0	0	77	2	456	10	0
78	9	433	14	0	77	45	447	5	0	77	1	452	15	0
78	8	433	14	0	77	44	448	4	0	77	0	449	4	6
78	7	433	9	0	77	43	448	18	0					
78	6	432	17	6	77	42	449	8	0					
78	5	431	16	6	77	41	449	16	6	76	76	325	6	6
78	4	430	5	0	77	40	450	0	6	76	75	335	7	0
78	3	428	2	0	77	39	450	4	6	76	74	344	5	0
78	2	425	5	6	77	38	450	9	6	76	73	352	2	6
78	1	421	17	6	77	37	450	16	0	76	72	359	0	0
78	0	418	14	0	77	36	451	2	6	76	71	365	10	0
					77	35	451	9	6	76	70	372	2	6
					77	34	451	15	0	76	69	378	17	6
77	77	299	5	6	77	33	451	19	0	76	68	385	11	0
77	76	311	15	0	77	32	452	0	6	76	67	392	1	0

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
76	66	398	8	0	76	22	480	5	6	75	56	466	12	0
76	65	405	8	0	76	21	480	6	0	75	55	469	18	6
76	64	411	19	6	76	20	481	4	6	75	54	473	6	6
76	63	418	2	6	76	19	482	10	6	75	53	476	17	0
76	62	423	17	0	76	18	484	4	0	75	52	480	10	6
76	61	428	15	0	76	17	486	4	6	75	51	484	4	0
76	60	432	15	6	76	16	488	8	6	75	50	488	2	0
76	59	436	1	6	76	15	490	12	6	75	49	491	15	0
76	58	439	2	0	76	14	492	12	6	75	48	495	1	0
76	57	441	18	6	76	13	494	6	6	75	47	497	17	6
76	56	444	15	0	76	12	495	12	0	75	46	500	5	6
76	55	447	14	6	76	11	496	10	0	75	45	501	19	6
76	54	450	16	0	76	10	497	2	0	75	44	503	6	0
76	53	454	0	6	76	9	497	8	6	75	43	504	6	6
76	52	457	7	0	76	8	497	11	0	75	42	505	1	6
76	51	460	14	0	76	7	497	7	0	75	41	505	14	0
76	50	464	5	6	76	6	496	14	6	75	40	506	1	0
76	49	467	12	0	76	5	495	11	0	75	39	506	7	6
76	48	470	11	6	76	4	493	14	0	75	38	506	14	6
76	47	473	2	0	76	3	491	3	0	75	37	507	2	6
76	46	475	4	6	76	2	487	16	6	75	36	507	11	0
76	45	476	13	6	76	1	483	15	0	75	35	507	19	6
76	44	477	16	6	76	0	479	17	6	75	34	508	6	6
76	43	478	13	6						75	33	508	11	6
76	42	479	6	0						75	32	508	14	6
76	41	479	16	0	75	75	346	5	6	75	31	508	15	6
76	40	480	1	6	75	74	356	0	0	75	30	508	16	6
76	39	480	7	0	75	73	364	13	0	75	29	508	17	0
76	38	480	12	6	75	72	372	5	0	75	28	508	16	0
76	37	481	0	0	75	71	379	8	6	75	27	508	14	6
76	36	481	7	6	75	70	386	14	0	75	26	508	11	6
76	35	481	15	0	75	69	394	1	0	75	25	507	18	6
76	34	482	1	6	75	68	401	7	0	75	24	507	6	0
76	33	482	6	0	75	67	408	9	6	75	23	506	16	0
76	32	482	8	0	75	66	415	7	6	75	22	506	9	6
76	31	482	9	0	75	65	423	0	0	75	21	506	10	0
76	30	482	9	6	75	64	430	3	0	75	20	507	9	0
76	29	482	10	0	75	63	436	17	6	75	19	508	16	6
76	28	482	9	0	75	62	443	4	0	75	18	510	12	0
76	27	482	7	6	75	61	448	12	0	75	17	512	15	6
76	26	482	4	6	75	60	453	2	0	75	16	515	2	6
76	25	481	12	0	75	59	456	17	0	75	15	517	10	0
76	24	481	0	6	75	58	460	5	0	75	14	519	14	0
76	23	480	11	0	75	57	463	9	0	75	13	521	11	6

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
75	12	523	0	6	74	45	526	3	0	74	1	536	17	6
75	11	524	1	6	74	44	527	14	0	74	0	532	7	0
75	10	524	16	0	74	43	528	17	6					
75	9	525	4	6	74	42	529	15	6					
75	8	525	8	0	74	41	530	10	6	73	73	386	2	0
75	7	525	4	6	74	40	531	0	0	73	72	395	2	0
75	6	524	12	6	74	39	531	8	0	73	71	403	12	0
75	5	523	7	6	74	38	531	16	0	73	70	412	3	0
75	4	521	9	0	74	37	532	5	6	73	69	420	15	6
75	3	518	14	6	74	36	532	15	0	73	68	429	5	6
75	2	515	3	0	74	35	533	4	0	73	67	437	11	6
75	1	510	15	0	74	34	533	12	0	73	66	445	13	6
75	0	506	11	0	74	33	533	17	6	73	65	454	10	0
					74	32	534	0	6	73	64	462	16	6
					74	31	534	2	0	73	63	470	14	0
74	74	366	10	6	74	30	534	3	6	73	62	478	3	0
74	73	375	19	0	74	29	534	4	0	73	61	484	12	0
74	72	384	5	0	74	28	534	3	6	73	60	490	1	6
74	71	392	2	0	74	27	534	2	0	73	59	494	14	0
74	70	400	0	0	74	26	533	18	6	73	58	498	18	6
74	69	408	0	0	74	25	533	5	0	73	57	502	17	6
74	68	415	18	6	74	24	532	12	0	73	56	506	15	6
74	67	423	12	6	74	23	532	1	0	73	55	510	15	6
74	66	431	2	6	74	22	531	14	0	73	54	514	17	6
74	65	439	7	0	74	21	531	14	0	73	53	519	1	6
74	64	447	2	0	74	20	532	14	0	73	52	523	8	6
74	63	454	8	0	74	19	534	2	6	73	51	527	15	6
74	62	461	5	6	74	18	536	0	0	73	50	532	7	6
74	61	467	4	6	74	17	538	6	0	73	49	536	14	0
74	60	472	4	0	74	16	540	16	0	73	48	540	13	0
74	59	476	7	6	74	15	543	7	6	73	47	544	1	6
74	58	480	4	0	74	14	545	15	6	73	46	547	0	6
74	57	483	15	0	74	13	547	16	6	73	45	549	4	6
74	56	487	5	6	74	12	549	8	6	73	44	550	19	6
74	55	490	18	6	74	11	550	12	6	73	43	552	7	0
74	54	494	13	6	74	10	551	9	6	73	42	553	8	0
74	53	498	11	0	74	9	552	0	0	73	41	554	6	0
74	52	502	11	0	74	8	552	5	0	73	40	554	17	6
74	51	506	11	0	74	7	552	3	0	73	39	555	7	0
74	50	510	16	0	74	6	551	11	0	73	38	555	16	6
74	49	514	16	0	74	5	550	5	6	73	37	556	7	6
74	48	518	8	0	74	4	548	4	6	73	36	556	18	0
74	47	521	11	0	74	3	545	7	6	73	35	557	8	6
74	46	524	4	0	74	2	541	11	0	73	34	557	17	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
73	33	558	3	0	72	64	477	5	6	72	20	580	1	6
73	32	558	7	0	72	63	485	14	0	72	19	581	12	6
73	31	558	9	0	72	62	493	14	0	72	18	583	13	6
73	30	558	10	6	72	61	500	14	0	72	17	586	4	0
73	29	558	11	0	72	60	506	12	6	72	16	589	0	6
73	28	558	11	0	72	59	511	14	0	72	15	591	18	6
73	27	558	9	6	72	58	516	7	6	72	14	594	13	0
73	26	558	6	0	72	57	520	14	0	72	13	597	1	0
73	25	557	12	0	72	56	524	19	6	72	12	599	0	0
73	24	556	18	0	72	55	529	7	0	72	11	600	9	6
73	23	556	6	6	72	54	533	15	6	72	10	601	12	0
73	22	555	19	0	72	53	538	7	0	72	9	602	7	0
73	21	555	18	6	72	52	543	0	6	72	8	602	15	6
73	20	556	19	0	72	51	547	14	6	72	7	602	16	0
73	19	558	9	0	72	50	552	13	6	72	6	602	5	0
73	18	560	8	0	72	49	557	7	0	72	5	600	18	6
73	17	562	16	6	72	48	561	12	6	72	4	598	15	0
73	16	565	10	0	72	47	565	7	0	72	3	595	12	0
73	15	568	4	6	72	46	568	12	0	72	2	591	7	6
73	14	570	16	0	72	45	571	0	6	72	1	586	2	6
73	13	573	0	6	72	44	573	0	6	72	0	581	0	0
73	12	574	16	0	72	43	574	12	0					
73	11	576	3	0	72	42	575	16	6					
73	10	577	2	6	72	41	576	17	0	71	71	423	13	6
73	9	577	15	0	72	40	577	10	6	71	70	433	9	0
73	8	578	2	0	72	39	578	2	6	71	69	443	5	6
73	7	578	1	0	72	38	578	14	0	71	68	453	0	0
73	6	577	9	6	72	37	579	6	0	71	67	462	9	6
73	5	576	3	6	72	36	579	18	0	71	66	471	13	6
73	4	574	1	0	72	35	580	9	6	71	65	481	14	0
73	3	571	1	0	72	34	580	19	0	71	64	491	3	6
73	2	567	0	6	72	33	581	6	0	71	63	500	3	6
73	1	562	1	0	72	32	581	10	0	71	62	508	14	6
73	0	557	4	6	72	31	581	12	6	71	61	516	4	6
					72	30	581	14	6	71	60	522	13	6
					72	29	581	15	6	71	59	528	4	0
72	72	404	15	0	72	28	581	15	6	71	58	533	5	6
72	71	413	18	0	72	27	581	14	0	71	57	538	0	6
72	70	423	1	6	72	26	581	10	6	71	56	542	13	0
72	69	432	6	0	72	25	580	16	0	71	55	547	8	6
72	68	441	8	0	72	24	580	1	6	71	54	552	4	6
72	67	450	6	0	72	23	579	9	0	71	53	557	3	0
72	66	458	19	0	72	22	579	1	0	71	52	562	4	0
72	65	468	7	0	72	21	579	0	6	71	51	567	4	6

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
71	50	572	10	6	71	6	626	15	0	70	35	626	7	6
71	49	577	11	0	71	5	625	8	6	70	34	626	19	0
71	48	582	3	0	71	4	623	3	6	70	33	627	8	0
71	47	586	4	6	71	3	619	18	0	70	32	627	13	6
71	46	589	15	0	71	2	615	10	0	70	31	627	17	0
71	45	592	9	0	71	1	610	0	0	70	30	627	19	6
71	44	594	13	0	71	0	604	11	6	70	29	628	1	0
71	43	596	8	6						70	28	628	1	6
71	42	597	17	0						70	27	628	0	6
71	41	599	1	0	70	70	443	17	0	70	26	627	17	0
71	40	599	17	0	70	69	454	6	0	70	25	627	1	6
71	39	600	11	0	70	68	464	12	0	70	24	626	5	6
71	38	601	4	0	70	67	474	13	6	70	23	625	12	6
71	37	601	18	0	70	66	484	9	6	70	22	625	3	0
71	36	602	11	6	70	65	495	1	6	70	21	625	2	0
71	35	603	4	0	70	64	505	3	0	70	20	626	4	0
71	34	603	15	0	70	63	514	14	6	70	19	627	17	6
71	33	604	2	6	70	62	523	17	0	70	18	630	2	0
71	32	604	7	6	70	61	531	17	6	70	17	632	17	0
71	31	604	10	0	70	60	538	16	6	70	16	635	19	0
71	30	604	12	6	70	59	544	16	0	70	15	639	3	6
71	29	604	14	0	70	58	550	6	6	70	14	642	4	6
71	28	604	14	0	70	57	555	9	6	70	13	644	19	6
71	27	604	12	6	70	56	560	10	6	70	12	647	4	6
71	26	604	9	0	70	55	565	13	6	70	11	649	0	0
71	25	603	14	0	70	54	570	17	0	70	10	650	7	6
71	24	602	19	0	70	53	576	3	0	70	9	651	7	0
71	23	602	6	0	70	52	581	11	6	70	8	652	0	0
71	22	601	17	6	70	51	586	19	6	70	7	652	3	6
71	21	601	16	6	70	50	592	13	0	70	6	651	14	6
71	20	602	18	0	70	49	598	0	6	70	5	650	7	6
71	19	604	10	6	70	48	602	19	6	70	4	648	1	6
71	18	606	12	6	70	47	607	7	6	70	3	644	14	0
71	17	609	6	0	70	46	611	4	0	70	2	640	2	0
71	16	612	5	0	70	45	614	3	6	70	1	634	7	0
71	15	615	6	0	70	44	616	12	6	70	0	628	13	0
71	14	618	4	6	70	43	618	12	6					
71	13	620	15	6	70	42	620	4	6					
71	12	622	17	6	70	41	621	11	6	69	69	465	7	0
71	11	624	10	6	70	40	622	10	6	69	68	476	5	6
71	10	625	15	0	70	39	623	7	6	69	67	486	19	0
71	9	626	12	6	70	38	624	2	6	69	66	497	7	0
71	8	627	3	0	70	37	624	18	0	69	65	508	11	0
71	7	627	5	0	70	36	625	13	0	69	64	519	4	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
69	63	529	8	0	69	19	651	15	6	68	45	658	11	6
69	62	539	2	0	69	18	654	1	6	68	44	661	11	0
69	61	547	13	6	69	17	656	19	0	68	43	664	0	6
69	60	555	2	6	69	16	660	3	6	68	42	666	0	6
69	59	561	11	6	69	15	663	11	6	68	41	667	15	6
69	58	567	11	0	69	14	666	16	0	68	40	669	0	6
69	57	573	3	0	69	13	669	14	0	68	39	670	3	0
69	56	578	12	0	69	12	672	2	6	68	38	671	3	0
69	55	584	3	0	69	11	674	1	0	68	37	672	3	0
69	54	589	15	0	69	10	675	11	6	68	36	673	2	0
69	53	595	8	6	69	9	676	13	6	68	35	673	19	6
69	52	601	4	6	69	8	677	8	6	68	34	674	14	6
69	51	607	0	6	69	7	677	13	0	68	33	675	5	0
69	50	613	2	0	69	6	677	5	0	68	32	675	12	6
69	49	618	17	0	69	5	675	18	6	68	31	675	17	6
69	48	624	3	6	69	4	673	11	6	68	30	676	1	0
69	47	628	18	0	69	3	670	1	6	68	29	676	3	6
69	46	633	1	0	69	2	665	6	0	68	28	676	4	6
69	45	636	5	6	69	1	659	5	6	68	27	676	3	6
69	44	639	0	0	69	0	653	6	0	68	26	676	0	6
69	43	641	4	6						68	25	675	4	0
69	42	643	0	6	68	68	487	16	6	68	24	674	7	0
69	41	644	11	6	68	67	499	2	0	68	23	673	12	6
69	40	645	13	6	68	66	510	2	0	68	22	673	2	6
69	39	646	12	6	68	65	521	19	0	68	21	673	1	0
69	38	647	10	6	68	64	533	4	6	68	20	674	4	0
69	37	648	8	0	68	63	544	0	0	68	19	676	0	0
69	36	649	5	0	68	62	554	5	6	68	18	678	8	0
69	35	650	1	0	68	61	563	8	6	68	17	681	8	0
69	34	650	14	0	68	60	571	8	0	68	16	684	15	0
69	33	651	3	6	68	59	578	7	0	68	15	688	6	0
69	32	651	10	0	68	58	584	15	6	68	14	691	14	6
69	31	651	14	0	68	57	590	16	0	68	13	694	16	0
69	30	651	17	0	68	56	596	14	0	68	12	697	7	0
69	29	651	19	0	68	55	602	13	0	68	11	699	9	0
69	28	652	0	0	68	54	608	13	0	68	10	701	2	0
69	27	651	19	0	68	53	614	15	0	68	9	702	6	6
69	26	651	15	6	68	52	620	19	6	68	8	703	3	6
69	25	650	19	6	68	51	627	3	0	68	7	703	10	0
69	24	650	3	0	68	50	633	13	0	68	6	703	3	0
69	23	649	9	6	68	49	639	16	0	68	5	701	16	6
69	22	648	19	6	68	48	645	10	0	68	4	699	8	6
69	21	648	18	6	68	47	650	11	6	68	3	695	16	6
69	20	650	1	0	68	46	655	1	0	68	2	690	17	6

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.
68	1	684 12 0	67	27	700 11 0	66	52	660 2 0
68	0	678 6 6	67	26	700 8 0	66	51	667 2 0
			67	25	699 11 0	66	50	674 9 6
			67	24	698 13 6	66	49	681 9 0
67	67	510 19 6	67	23	697 18 6	66	48	687 19 0
67	66	522 11 6	67	22	697 8 0	66	47	693 15 6
67	65	535 1 0	67	21	697 6 0	66	46	698 19 0
67	64	546 19 6	67	20	698 10 0	66	45	703 2 0
67	63	558 7 0	67	19	700 7 0	66	44	706 13 0
67	62	569 4 6	67	18	702 17 0	66	43	709 12 0
67	61	578 19 0	67	17	705 19 6	66	42	712 1 6
67	60	587 9 0	67	16	709 9 6	66	41	714 4 6
67	59	594 18 0	67	15	713 4 0	66	40	715 17 0
67	58	601 16 0	67	14	716 15 6	66	39	717 5 6
67	57	608 6 0	67	13	720 0 6	66	38	718 11 6
67	56	614 12 0	67	12	722 15 0	66	37	719 17 0
67	55	621 0 6	67	11	724 19 6	66	36	721 0 6
67	54	627 9 0	67	10	726 15 6	66	35	722 2 6
67	53	633 19 0	67	9	728 2 6	66	34	723 0 6
67	52	640 12 0	67	8	729 1 6	66	33	723 14 6
67	51	647 4 0	67	7	729 10 0	66	32	724 4 0
67	50	654 2 0	67	6	729 4 0	66	31	724 11 0
67	49	660 13 6	67	5	727 18 0	66	30	724 16 0
67	48	666 15 0	67	4	725 9 6	66	29	724 19 6
67	47	672 4 0	67	3	721 15 0	66	28	725 1 6
67	46	677 0 6	67	2	716 12 6	66	27	725 1 0
67	45	680 17 0	67	1	710 2 0	66	26	724 18 0
67	44	684 2 0	67	0	703 11 0	66	25	724 0 6
67	43	686 16 6				66	24	723 3 0
67	42	689 1 0				66	23	722 7 0
67	41	691 0 0	66	66	534 16 0	66	22	721 16 0
67	40	692 8 6	66	65	547 18 0	66	21	721 14 0
67	39	693 14 0	66	64	560 9 0	66	20	722 18 6
67	38	694 17 0	66	63	572 9 0	66	19	724 17 0
67	37	695 19 6	66	62	583 19 0	66	18	727 8 6
67	36	697 0 6	66	61	594 5 0	66	17	730 13 6
67	35	698 0 6	66	60	603 6 0	66	16	734 6 6
67	34	698 16 6	66	59	611 5 0	66	15	738 4 0
67	33	699 9 0	66	58	618 12 6	66	14	741 19 6
67	32	699 17 6	66	57	625 11 6	66	13	745 7 6
67	31	700 3 0	66	56	632 7 0	66	12	748 5 6
67	30	700 7 6	66	55	639 4 0	66	11	750 13 0
67	29	700 10 6	66	54	646 1 6	66	10	752 11 6
67	28	700 12 0	66	53	653 0 6	66	9	754 1 0

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.
66	8	755 3 0	65	32	750 5 0	64	55	677 11 0
66	7	755 13 0	65	31	750 12 6	64	54	685 7 0
66	6	755 8 6	65	30	750 18 6	64	53	693 4 6
66	5	754 2 6	65	29	751 3 0	64	52	701 5 0
66	4	751 13 0	65	28	751 5 6	64	51	709 4 0
66	3	747 16 6	65	27	751 5 6	64	50	717 9 6
66	2	742 10 6	65	26	751 2 6	64	49	725 8 0
66	1	735 15 0	65	25	750 4 6	64	48	732 15 6
66	0	728 18 6	65	24	749 6 0	64	47	739 8 6
			65	23	748 10 0	64	46	745 8 0
			65	22	747 18 6	64	45	750 5 0
65	65	561 13 6	65	21	747 16 0	64	44	754 8 0
65	64	574 17 6	65	20	749 1 6	64	43	757 19 0
65	63	587 11 0	65	19	751 1 0	64	42	760 19 0
65	62	599 13 6	65	18	753 14 6	64	41	763 11 0
65	61	610 12 0	65	17	757 2 6	64	40	765 12 0
65	60	620 4 6	65	16	760 18 6	64	39	767 7 6
65	59	628 14 0	65	15	765 0 0	64	38	769 0 0
65	58	636 12 6	65	14	768 18 6	64	37	770 12 0
65	57	644 1 0	65	13	772 10 6	64	36	772 1 0
65	56	651 6 0	65	12	775 12 0	64	35	773 8 0
65	55	658 12 6	65	11	778 2 6	64	34	774 10 6
65	54	665 19 0	65	10	780 4 0	64	33	775 8 0
65	53	673 7 6	65	9	781 16 6	64	32	776 1 0
65	52	680 18 0	65	8	783 0 0	64	31	776 10 0
65	51	688 8 0	65	7	783 12 0	64	30	776 17 0
65	50	696 4 0	65	6	783 9 0	64	29	777 2 0
65	49	703 13 0	65	5	782 3 6	64	28	777 5 0
65	48	710 11 0	65	4	779 13 0	64	27	777 5 6
65	47	716 16 0	65	3	775 14 6	64	26	777 3 0
65	46	722 7 0	65	2	770 5 0	64	25	776 5 0
65	45	726 17 0	65	1	763 4 0	64	24	775 6 0
65	44	730 14 0	65	0	756 1 6	64	23	774 9 0
65	43	733 19 0				64	22	773 17 0
65	42	736 13 6				64	21	773 14 6
65	41	739 1 0	64	64	588 14 6	64	20	775 1 0
65	40	740 17 6	64	63	602 1 0	64	19	777 1 6
65	39	742 9 6	64	62	614 16 6	64	18	779 17 0
65	38	743 18 6	64	61	626 7 6	64	17	783 7 6
65	37	745 7 0	64	60	636 11 6	64	16	787 7 0
65	36	746 13 6	64	59	645 12 6	64	15	791 11 6
65	35	747 17 6	64	58	654 1 0	64	14	795 14 0
65	34	748 18 0	64	57	662 0 0	64	13	799 10 0
65	33	749 13 6	64	56	669 15 0	64	12	802 14 6

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
64	11	805	8	6	63	33	800	18	6	62	54	722	15	0
64	10	807	13	0	63	32	801	13	0	62	53	731	12	6
64	9	809	8	0	63	31	802	3	0	62	52	740	12	0
64	8	810	14	0	63	30	802	11	6	62	51	749	10	6
64	7	811	8	0	63	29	802	18	0	62	50	758	16	0
64	6	811	6	0	63	28	803	1	6	62	49	767	14	0
64	5	810	1	0	63	27	803	2	6	62	48	776	0	0
64	4	807	10	0	63	26	803	0	0	62	47	783	11	0
64	3	803	9	6	63	25	802	1	6	62	46	790	7	0
64	2	797	16	0	63	24	801	2	6	62	45	795	19	0
64	1	790	10	0	63	23	800	5	0	62	44	800	16	0
64	0	783	1	6	63	22	799	12	6	62	43	804	19	6
					63	21	799	10	0	62	42	808	10	6
					63	20	800	17	0	62	41	811	13	0
63	63	616	0	6	63	19	802	19	0	62	40	814	3	0
63	62	629	9	6	63	18	805	16	6	62	39	816	7	0
63	61	641	12	6	63	17	809	9	6	62	38	818	7	0
63	60	652	9	0	63	16	813	12	0	62	37	820	5	6
63	59	662	1	0	63	15	818	0	6	62	36	822	1	0
63	58	671	0	6	63	14	822	6	6	62	35	823	13	6
63	57	679	9	6	63	13	826	6	0	62	34	825	1	6
63	56	687	14	0	63	12	829	14	6	62	33	826	3	6
63	55	696	0	0	63	11	832	12	0	62	32	827	0	0
63	54	704	6	0	63	10	834	19	0	62	31	827	12	0
63	53	712	13	0	63	9	836	17	0	62	30	828	1	6
63	52	721	3	0	63	8	838	5	6	62	29	828	9	0
63	51	729	12	0	63	7	839	1	6	62	28	828	13	6
63	50	738	7	6	63	6	839	0	6	62	27	828	15	0
63	49	746	15	6	63	5	837	16	0	62	26	828	13	6
63	48	754	12	0	63	4	835	4	0	62	25	827	14	6
63	47	761	14	0	63	3	831	2	0	62	24	826	14	6
63	46	768	1	6	63	2	825	5	0	62	23	825	17	0
63	45	773	5	6	63	1	817	13	6	62	22	825	4	0
63	44	777	16	0	63	0	809	19	6	62	21	825	1	0
63	43	781	13	0						62	20	826	9	0
63	42	784	18	0						62	19	828	12	6
63	41	787	15	6	62	62	643	11	0	62	18	831	11	6
63	40	790	0	6	62	61	656	7	0	62	17	835	7	6
63	39	792	0	6	62	60	667	15	0	62	16	839	13	0
63	38	793	16	6	62	59	677	18	6	62	15	844	5	0
63	37	795	11	6	62	58	687	9	0	62	14	848	15	0
63	36	797	4	0	62	57	696	8	6	62	13	852	18	6
63	35	798	13	6	62	56	705	3	6	62	12	856	10	0
63	34	799	18	6	62	55	713	19	0	62	11	859	11	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.
		£ s. d.			£ s. d.			£ s. d.
62	10	862 1 6	61	30	852 7 6	60	49	805 6 6
62	9	864 2 0	61	29	852 16 0	60	48	814 11 6
62	8	865 13 0	61	28	853 1 6	60	47	823 0 6
62	7	866 11 0	61	27	853 4 0	60	46	830 13 6
62	6	866 11 6	61	26	853 2 6	60	45	837 1 6
62	5	865 7 6	61	25	852 3 6	60	44	842 13 0
62	4	862 15 0	61	24	851 3 6	60	43	847 9 6
62	3	858 11 0	61	23	850 5 6	60	42	851 12 6
62	2	852 10 6	61	22	849 12 0	60	41	855 6 6
62	1	844 14 6	61	21	849 9 0	60	40	858 6 0
62	0	836 14 6	61	20	850 17 6	60	39	860 19 0
			61	19	853 2 6	60	38	863 7 0
			61	18	856 3 6	60	37	865 13 0
61	61	669 15 6	61	17	860 1 6	60	36	867 15 6
61	60	681 15 6	61	16	864 10 6	60	35	869 15 0
61	59	692 10 0	61	15	869 6 0	60	34	871 8 0
61	58	702 11 0	61	14	873 19 6	60	33	872 15 0
61	57	712 1 0	61	13	878 6 6	60	32	873 16 0
61	56	721 6 0	61	12	882 2 0	60	31	874 11 6
61	55	730 12 0	61	11	885 6 0	60	30	875 4 6
61	54	739 17 6	61	10	887 19 6	60	29	875 14 6
61	53	749 5 0	61	9	890 3 0	60	28	876 1 0
61	52	758 14 6	61	8	891 16 6	60	27	876 4 0
61	51	768 3 0	61	7	892 16 6	60	26	876 3 6
61	50	777 18 0	61	6	892 18 6	60	25	875 4 6
61	49	787 5 6	61	5	891 15 0	60	24	874 4 0
61	48	796 1 0	61	4	889 2 0	60	23	873 5 6
61	47	804 1 0	61	3	884 16 0	60	22	872 12 0
61	46	811 5 6	61	2	878 12 6	60	21	872 9 0
61	45	817 5 6	61	1	870 11 6	60	20	873 18 6
61	44	822 10 0	61	0	862 6 6	60	19	876 4 6
61	43	827 0 0				60	18	879 7 6
61	42	830 17 0				60	17	883 8 0
61	41	834 5 0	60	60	694 6 6	60	16	887 19 6
61	40	836 19 6	60	59	705 12 0	60	15	892 18 6
61	39	839 8 0	60	58	716 4 0	60	14	897 15 6
61	38	841 12 0	60	57	726 4 0	60	13	902 6 0
61	37	843 14 0	60	56	735 19 0	60	12	906 5 0
61	36	845 13 0	60	55	745 15 0	60	11	909 12 0
61	35	847 9 0	60	54	755 10 6	60	10	912 9 0
61	34	848 19 6	60	53	765 7 0	60	9	914 14 6
61	33	850 4 0	60	52	775 6 6	60	8	916 11 0
61	32	851 2 6	60	51	785 4 6	60	7	917 13 0
61	31	851 16 0	60	50	795 9 6	60	6	917 16 6

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.
		£ s. d.			£ s. d.			£ s. d.
60	5	916 13 6	59	23	895 0 6	58	40	897 9 0
60	4	914 0 6	59	22	894 6 6	58	39	900 11 6
60	3	909 13 0	59	21	894 3 6	58	38	903 8 6
60	2	903 6 6	59	20	895 13 6	58	37	906 2 6
60	1	895 1 0	59	19	898 0 6	58	36	908 12 6
60	0	886 11 0	59	18	901 5 6	58	35	910 18 6
			59	17	905 8 0	58	34	912 18 0
			59	16	910 2 6	58	33	914 10 6
59	59	717 8 6	59	15	915 4 6	58	32	915 16 0
59	58	728 10 6	59	14	920 5 0	58	31	916 16 0
59	57	739 0 6	59	13	924 19 0	58	30	917 12 6
59	56	749 5 6	59	12	929 1 0	58	29	918 5 0
59	55	759 11 0	59	11	932 11 6	58	28	918 14 6
59	54	769 16 0	59	10	935 11 0	58	27	919 0 0
59	53	780 2 6	59	9	938 0 0	58	26	919 0 6
59	52	790 11 6	59	8	939 18 6	58	25	918 2 0
59	51	800 18 6	59	7	941 2 6	58	24	917 1 6
59	50	811 13 6	59	6	941 8 0	58	23	916 3 0
59	49	822 0 0	59	5	940 6 0	58	22	915 9 0
59	48	831 14 0	59	4	937 12 6	58	21	915 6 0
59	47	840 12 0	59	3	933 3 6	58	20	916 16 6
59	46	848 13 6	59	2	926 14 6	58	19	919 5 0
59	45	855 9 0	59	1	918 5 0	58	18	922 11 0
59	44	861 8 0	59	0	909 10 0	58	17	926 16 0
59	43	866 11 6				58	16	931 13 6
59	42	871 0 6				58	15	936 18 6
59	41	875 0 0	58	58	740 2 6	58	14	942 2 0
59	40	878 4 6	58	57	751 2 6	58	13	946 19 0
59	39	881 2 6	58	56	761 17 6	58	12	951 4 6
59	38	883 14 6	58	55	772 12 6	58	11	954 18 0
59	37	886 5 0	58	54	783 7 0	58	10	958 0 6
59	36	888 11 0	58	53	794 3 0	58	9	960 12 0
59	35	890 13 6	58	52	805 1 0	58	8	962 13 6
59	34	892 10 0	58	51	815 18 0	58	7	963 19 6
59	33	893 19 6	58	50	827 2 0	58	6	964 6 6
59	32	895 2 6	58	49	837 18 0	58	5	963 5 6
59	31	896 0 6	58	48	848 1 6	58	4	960 11 6
59	30	896 15 0	58	47	857 8 0	58	3	956 1 6
59	29	897 6 0	58	46	865 18 0	58	2	949 10 0
59	28	897 14 0	58	45	873 1 6	58	1	940 16 6
59	27	897 18 6	58	44	879 7 6	58	0	931 17 0
59	26	897 18 6	58	43	884 18 0			
59	25	896 19 6	58	42	889 13 6			
59	24	895 19 0	58	41	893 19 0	57	57	762 12 6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.
		£ s. d.			£ s d.			£ s. d.
57	56	773 17 0	57	12	972 18 0	56	27	959 19 6
57	55	785 1 6	57	11	976 14 6	56	26	960 2 0
57	54	796 5 6	57	10	980 0 0	56	25	959 4 6
57	53	807 10 6	57	9	982 14 0	56	24	958 4 6
57	52	818 18 6	57	8	984 18 0	56	23	957 5 6
57	51	830 4 6	57	7	986 6 6	56	22	956 11 6
57	50	841 18 6	57	6	986 15 0	56	21	956 9 0
57	49	853 3 6	57	5	985 14 6	56	20	958 1 0
57	48	863 16 0	57	4	983 1 0	56	19	960 11 6
57	47	873 11 6	57	3	978 10 0	56	18	964 1 6
57	46	882 10 0	57	2	971 15 6	56	17	968 10 6
57	45	890 1 0	57	1	962 18 6	56	16	973 13 0
57	44	896 15 0	57	0	953 14 6	56	15	979 4 0
57	43	902 12 6				56	14	984 14 0
57	42	907 14 6				56	13	989 17 6
57	41	912 6 0	56	56	785 10 6	56	12	994 9 6
57	40	916 1 0	56	55	797 5 0	56	11	998 9 0
57	39	919 8 6	56	54	808 18 0	56	10	1,001 17 6
57	38	922 10 0	56	53	820 13 0	56	9	1,004 14 0
57	37	925 8 6	56	52	832 10 0	56	8	1,007 0 0
57	36	928 2 6	56	51	844 5 6	56	7	1,008 11 0
57	35	930 12 0	56	50	856 9 0	56	6	1,009 1 0
57	34	932 15 0	56	49	868 3 6	56	5	1,008 1 6
57	33	934 10 6	56	48	879 5 0	56	4	1,005 8 0
57	32	935 18 6	56	47	889 9 6	56	3	1,000 16 0
57	31	937 0 6	56	46	898 16 6	56	2	993 19 6
57	30	937 19 0	56	45	906 15 6	56	1	984 18 6
57	29	938 13 6	56	44	913 17 0	56	0	975 10 6
57	28	939 4 6	56	43	920 1 6			
57	27	939 11 0	56	42	925 10 0			
57	26	939 13 0	56	41	930 7 6	55	55	809 8 6
57	25	938 14 6	56	40	934 8 6	55	54	821 11 6
57	24	937 14 0	56	39	938 1 0	55	53	833 15 6
57	23	936 15 6	56	38	941 7 6	55	52	846 2 6
57	22	936 1 6	56	37	944 10 6	55	51	858 7 6
57	21	935 18 6	56	36	947 8 6	55	50	871 0 6
57	20	937 10 0	56	35	950 2 0	55	49	883 4 6
57	19	939 19 6	56	34	952 8 0	55	48	894 15 6
57	18	943 7 6	56	33	954 6 6	55	47	905 9 0
57	17	947 14 6	56	32	955 17 6	55	46	915 4 6
57	16	952 14 6	56	31	957 2 0	55	45	923 12 0
57	15	958 2 6	56	30	958 2 6	55	44	931 1 0
57	14	963 9 6	56	29	958 19 0	55	43	937 12 6
57	13	968 9 6	56	28	959 11 6	55	42	943 8 0

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.
		£ s. d.			£ s. d.			£ s. d.
55	41	948 11 6	54	54	834 4 0	54	10	1,046 6 6
55	40	952 18 6	54	53	846 17 6	54	9	1,049 8 6
55	39	956 16 6	54	52	859 14 0	54	8	1,052 0 0
55	38	960 8 0	54	51	872 9 0	54	7	1,053 15 0
55	37	963 15 6	54	50	885 11 6	54	6	1,054 8 6
55	36	966 18 0	54	49	898 5 6	54	5	1,053 11 0
55	35	969 15 0	54	48	910 5 6	54	4	1,050 17 6
55	34	972 5 0	54	47	921 8 6	54	3	1,046 3 6
55	33	974 7 0	54	46	931 12 6	54	2	1,039 2 6
55	32	976 0 6	54	45	940 8 0	54	1	1,029 14 0
55	31	977 7 6	54	44	948 5 0	54	0	1,019 17 6
55	30	978 10 0	54	43	955 4 0			
55	29	979 8 6	54	42	961 6 0			
55	28	980 3 0	54	41	966 16 6	53	53	860 1 6
55	27	980 12 0	54	40	971 9 0	53	52	873 7 6
55	26	980 16 0	54	39	975 13 0	53	51	886 12 0
55	25	979 19 0	54	38	979 9 6	53	50	900 4 6
55	24	978 19 6	54	37	983 2 0	53	49	913 8 0
55	23	978 0 6	54	36	986 9 0	53	48	925 18 0
55	22	977 7 0	54	35	989 10 6	53	47	937 10 0
55	21	977 4 6	54	34	992 4 0	53	46	948 3 0
55	20	978 17 6	54	33	994 9 0	53	45	957 7 0
55	19	981 9 6	54	32	996 6 0	53	44	965 12 0
55	18	985 0 6	54	31	997 15 6	53	43	972 18 6
55	17	989 12 6	54	30	999 0 6	53	42	979 7 6
55	16	994 17 6	54	29	1,000 1 0	53	41	985 4 6
55	15	1,000 11 6	54	28	1,000 17 0	53	40	990 3 6
55	14	1,006 4 6	54	27	1,001 8 0	53	39	994 13 0
55	13	1,011 11 6	54	26	1,001 13 6	53	38	998 15 0
55	12	1,016 6 0	54	25	1,000 17 0	53	37	1,002 12 6
55	11	1,020 8 6	54	24	999 17 6	53	36	1,006 4 0
55	10	1,024 0 0	54	23	998 19 6	53	35	1,009 10 0
55	9	1,026 19 6	54	22	998 5 6	53	34	1,012 7 6
55	8	1,029 8 0	54	21	998 3 6	53	33	1,014 16 6
55	7	1,031 1 0	54	20	999 17 6	53	32	1,016 16 0
55	6	1,031 13 0	54	19	1,002 11 0	53	31	1,018 8 6
55	5	1,030 14 6	54	18	1,006 4 0	53	30	1,019 16 6
55	4	1,028 1 0	54	17	1,010 18 0	53	29	1,020 19 0
55	3	1,023 7 6	54	16	1,016 5 6	53	28	1,021 17 0
55	2	1,016 9 0	54	15	1,022 2 6	53	27	1,022 9 6
55	1	1,007 4 6	54	14	1,027 19 0	53	26	1,022 16 6
55	0	997 12 0	54	13	1,033 9 0	53	25	1,022 0 6
			54	12	1,038 7 0	53	24	1,021 2 0
			54	11	1,042 12 6	53	23	1,020 4 0

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.
		£ s. d.			£ s. d.			£ s. d.
53	22	1,019 10 6	52	33	1,035 9 6	51	43	1,008 15 6
53	21	1,019 8 6	52	32	1,037 13 0	51	42	1,015 19 6
53	20	1,021 4 0	52	31	1,039 8 0	51	41	1,022 10 6
53	19	1,023 18 6	52	30	1,040 19 0	51	40	1,028 2 0
53	18	1,027 13 6	52	29	1,042 4 0	51	39	1,033 3 6
53	17	1,032 10 0	52	28	1,043 4 0	51	38	1,037 16 6
53	16	1,038 0 6	52	27	1,043 18 6	51	37	1,042 5 0
53	15	1,044 0 6	52	26	1,044 6 6	51	36	1,046 6 6
53	14	1,050 0 6	52	25	1,043 12 0	51	35	1,050 1 6
53	13	1,055 13 6	52	24	1,042 13 6	51	34	1,053 8 0
53	12	1,060 14 6	52	23	1,041 16 0	51	33	1,056 4 6
53	11	1,065 3 6	52	22	1,041 3 0	51	32	1,058 11 0
53	10	1,069 0 0	52	21	1,041 2 0	51	31	1,060 9 6
53	9	1,072 5 0	52	20	1,042 18 0	51	30	1,062 3 0
53	8	1,074 19 0	52	19	1,045 14 6	51	29	1,063 11 0
53	7	1,076 16 0	52	18	1,049 11 6	51	28	1,064 13 0
53	6	1,077 11 6	52	17	1,054 10 0	51	27	1,065 9 6
53	5	1,076 15 0	52	16	1,060 3 6	51	26	1,065 19 0
53	4	1,074 1 6	52	15	1,066 7 0	51	25	1,065 5 6
53	3	1,069 6 6	52	14	1,072 10 0	51	24	1,064 8 0
53	2	1,062 3 0	52	13	1,078 6 6	51	23	1,063 11 0
53	1	1,052 11 0	52	12	1,083 11 0	51	22	1,062 18 6
53	0	1,042 10 0	52	11	1,088 2 6	51	21	1,062 17 6
			52	10	1,092 2 6	51	20	1,064 15 6
			52	9	1,095 10 0	51	19	1,067 13 0
52	52	887 3 6	52	8	1,098 6 0	51	18	1,071 12 6
52	51	900 17 6	52	7	1,100 5 6	51	17	1,076 13 6
52	50	915 0 6	52	6	1,101 3 0	51	16	1,082 10 0
52	49	928 14 0	52	5	1,100 7 6	51	15	1,088 16 6
52	48	941 13 6	52	4	1,097 14 0	51	14	1,095 3 0
52	47	953 15 0	52	3	1,092 18 0	51	13	1,101 3 0
52	46	964 17 6	52	2	1,085 12 0	51	12	1,106 10 6
52	45	974 10 0	52	1	1,075 16 6	51	11	1,111 5 6
52	44	983 3 0	52	0	1,065 11 0	51	10	1,115 8 0
52	43	990 17 0				51	9	1,118 18 6
52	42	997 13 6				51	8	1,121 17 6
52	41	1,003 17 6	51	51	915 2 0	51	7	1,123 19 0
52	40	1,009 2 6	51	50	929 15 0	51	6	1,124 18 0
52	39	1,013 18 0	51	49	943 18 6	51	5	1,124 3 6
52	38	1,018 5 6	51	48	957 8 6	51	4	1,121 10 6
52	37	1,022 8 6	51	47	969 19 6	51	3	1,116 13 0
52	36	1,026 5 0	51	46	981 11 0	51	2	1,109 5 0
52	35	1,029 15 0	51	45	991 12 6	51	1	1,099 5 6
52	34	1,032 17 0	51	44	1,000 13 6	51	0	1,088 16 0

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.
		£ s. d.			£ s. d.			£ s. d.
50	50	944 18 0	50	6	1,149 9 0	49	14	1,141 14 6
50	49	959 12 0	50	5	1,148 15 6	49	13	1,148 1 6
50	48	973 12 0	50	4	1,146 2 6	49	12	1,153 16 0
50	47	986 13 0	50	3	1,141 4 0	49	11	1,158 17 0
50	46	998 14 6	50	2	1,133 14 0	49	10	1,163 6 0
50	45	1,009 4 6	50	1	1,123 10 6	49	9	1,167 2 0
50	44	1,018 14 6	50	0	1,112 16 6	49	8	1,170 6 0
50	43	1,027 4 6				49	7	1,172 12 6
50	42	1,034 16 0				49	6	1,173 15 0
50	41	1,041 14 0	49	49	974 16 6	49	5	1,173 2 6
50	40	1,047 12 0	49	48	989 6 6	49	4	1,170 9 6
50	39	1,053 0 0	49	47	1,002 17 6	49	3	1,165 10 0
50	38	1,057 19 0	49	46	1,015 8 6	49	2	1,157 17 6
50	37	1,062 13 0	49	45	1,026 8 0	49	1	1,147 10 6
50	36	1,067 0 0	49	44	1,036 6 6	49	0	1,136 12 0
50	35	1,071 0 6	49	43	1,045 4 6			
50	34	1,074 11 0	49	42	1,053 4 0			
50	33	1,077 12 0	49	41	1,060 9 6	48	48	1,004 7 0
50	32	1,080 2 6	49	40	1,066 14 6	48	47	1,018 7 6
50	31	1,082 4 6	49	39	1,072 8 6	48	46	1,031 8 6
50	30	1,084 0 6	49	38	1,077 14 0	48	45	1,042 16 6
50	29	1,085 11 0	49	37	1,082 13 6	48	44	1,053 4 0
50	28	1,086 16 0	49	36	1,087 6 0	48	43	1,062 10 6
50	27	1,087 14 0	49	35	1,091 11 6	48	42	1,070 17 6
50	26	1,088 6 0	49	34	1,095 7 0	48	41	1,078 10 0
50	25	1,087 13 0	49	33	1,098 12 0	48	40	1,085 2 0
50	24	1,086 16 6	49	32	1,101 6 6	48	39	1,091 3 0
50	23	1,086 0 0	49	31	1,103 12 0	48	38	1,096 14 6
50	22	1,085 8 0	49	30	1,105 11 6	48	37	1,102 0 0
50	21	1,085 8 0	49	29	1,107 5 0	48	36	1,106 18 0
50	20	1,087 7 0	49	28	1,108 12 0	48	35	1,111 8 6
50	19	1,090 6 6	49	27	1,109 12 6	48	34	1,115 9 0
50	18	1,094 8 0	49	26	1,110 6 0	48	33	1,118 18 6
50	17	1,099 12 0	49	25	1,109 14 6	48	32	1,121 17 0
50	16	1,105 11 6	49	24	1,108 19 0	48	31	1,124 6 6
50	15	1,112 1 6	49	23	1,108 3 6	48	30	1,126 9 6
50	14	1,118 11 6	49	22	1,107 12 0	48	29	1,128 5 6
50	13	1,124 15 0	49	21	1,107 12 6	48	28	1,129 15 6
50	12	1,130 6 0	49	20	1,109 13 0	48	27	1,130 18 6
50	11	1,135 4 0	49	19	1,112 14 6	48	26	1,131 14 0
50	10	1,139 10 0	49	18	1,116 18 0	48	25	1,131 3 6
50	9	1,143 3 0	49	17	1,122 4 6	48	24	1,130 9 0
50	8	1,146 4 6	49	16	1,128 7 6	48	23	1,129 14 6
50	7	1,148 8 6	49	15	1,135 1 0	48	22	1,129 4 0

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
48	21	1,129	5	0
48	20	1,131	7	0
48	19	1,134	10	6
48	18	1,138	16	0
48	17	1,144	5	6
48	16	1,150	11	6
48	15	1,157	8	6
48	14	1,164	6	0
48	13	1,170	16	6
48	12	1,176	14	6
48	11	1,181	19	0
48	10	1,186	10	6
48	9	1,190	9	6
48	8	1,193	16	6
48	7	1,196	5	0
48	6	1,197	9	6
48	5	1,196	18	0
48	4	1,194	5	0
48	3	1,189	4	6
48	2	1,181	9	6
48	1	1,170	19	0
48	0	1,159	16	0
47	47	1,032	18	6
47	46	1,046	8	6
47	45	1,058	6	0
47	44	1,069	1	6
47	43	1,078	16	6
47	42	1,087	11	0
47	41	1,095	11	6
47	40	1,102	10	6
47	39	1,108	17	6
47	38	1,114	15	6
47	37	1,120	7	0
47	36	1,125	10	6
47	35	1,130	6	6
47	34	1,134	12	0
47	33	1,138	6	0
47	32	1,141	9	0
47	31	1,144	2	0
47	30	1,146	8	0
47	29	1,148	7	6
47	28	1,150	0	6
47	27	1,151	5	6
47	26	1,152	3	6
47	25	1,151	14	6
47	24	1,151	1	0
47	23	1,150	7	6
47	22	1,149	18	0
47	21	1,150	0	0
47	20	1,152	3	6
47	19	1,155	8	6
47	18	1,159	16	6
47	17	1,165	9	0
47	16	1,171	18	0
47	15	1,178	18	6
47	14	1,185	19	6
47	13	1,192	13	6
47	12	1,198	14	6
47	11	1,204	2	6
47	10	1,208	17	6
47	9	1,212	19	0
47	8	1,216	8	6
47	7	1,218	19	6
47	6	1,220	5	6
47	5	1,219	15	0
47	4	1,217	2	6
47	3	1,212	1	6
47	2	1,204	4	0
47	1	1,193	10	0
47	0	1,182	3	0
46	46	1,060	7	6
46	45	1,072	14	0
46	44	1,083	18	6
46	43	1,094	1	0
46	42	1,103	4	0
46	41	1,111	11	6
46	40	1,118	17	6
46	39	1,125	11	0
46	38	1,131	15	0
46	37	1,137	13	0
46	36	1,143	2	0
46	35	1,148	3	6
46	34	1,152	14	0
46	33	1,156	12	6
46	32	1,159	19	6
46	31	1,162	16	6
46	30	1,165	6	6
46	29	1,167	9	6
46	28	1,169	5	0
46	27	1,170	13	0
46	26	1,171	13	0
46	25	1,171	5	6
46	24	1,170	13	6
46	23	1,170	1	0
46	22	1,169	12	6
46	21	1,169	15	6
46	20	1,172	0	6
46	19	1,175	7	6
46	18	1,179	18	0
46	17	1,185	13	0
46	16	1,192	5	0
46	15	1,199	9	0
46	14	1,206	13	0
46	13	1,213	11	0
46	12	1,219	15	6
46	11	1,225	6	6
46	10	1,230	4	6
46	9	1,234	9	0
46	8	1,238	0	6
46	7	1,240	14	0
46	6	1,242	2	0
46	5	1,241	12	6
46	4	1,239	0	6
46	3	1,233	18	6
46	2	1,225	19	0
46	1	1,215	1	6
46	0	1,203	11	0
45	45	1,085	9	0
45	44	1,097	1	6
45	43	1,107	12	6
45	42	1,117	2	6
45	41	1,125	17	6
45	40	1,133	10	0
45	39	1,140	10	6
45	38	1,147	0	6
45	37	1,153	4	6

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.
45	36	1,158 19 0	44	39	1,154 7 0	43	41	1,151 1 0
45	35	1,164 6 0	44	38	1,161 3 0	43	40	1,159 7 0
45	34	1,169 1 6	44	37	1,167 12 6	43	39	1,167 0 6
45	33	1,173 5 0	44	36	1,173 13 0	43	38	1,174 3 0
45	32	1,176 16 0	44	35	1,179 5 0	43	37	1,180 18 0
45	31	1,179 17 0	44	34	1,184 6 0	43	36	1,187 4 0
45	30	1,182 10 6	44	33	1,188 14 0	43	35	1,193 1 6
45	29	1,184 17 0	44	32	1,192 9 6	43	34	1,198 7 0
45	28	1,186 15 6	44	31	1,195 14 6	43	33	1,203 0 0
45	27	1,188 6 0	44	30	1,198 12 0	43	32	1,207 0 0
45	26	1,189 8 6	44	29	1,201 1 6	43	31	1,210 9 0
45	25	1,189 3 0	44	28	1,203 3 0	43	30	1,213 10 0
45	24	1,188 12 0	44	27	1,204 16 6	43	29	1,216 3 0
45	23	1,188 1 0	44	26	1,206 1 0	43	28	1,218 8 0
45	22	1,187 13 6	44	25	1,205 18 0	43	27	1,220 4 6
45	21	1,187 17 6	44	24	1,205 8 6	43	26	1,221 11 6
45	20	1,190 4 6	44	23	1,204 18 6	43	25	1,221 10 0
45	19	1,193 13 0	44	22	1,204 12 0	43	24	1,221 2 6
45	18	1,198 6 0	44	21	1,204 18 0	43	23	1,220 14 0
45	17	1,204 3 6	44	20	1,207 6 0	43	22	1,220 9 0
45	16	1,210 18 6	44	19	1,210 17 0	43	21	1,220 16 0
45	15	1,218 5 6	44	18	1,215 11 6	43	20	1,223 6 0
45	14	1,225 13 0	44	17	1,221 12 0	43	19	1,226 18 6
45	13	1,232 14 0	44	16	1,228 10 0	43	18	1,231 15 6
45	12	1,239 2 0	44	15	1,236 0 0	43	17	1,237 18 6
45	11	1,244 16 0	44	14	1,243 11 0	43	16	1,244 19 6
45	10	1,249 17 0	44	13	1,250 15 0	43	15	1,252 12 6
45	9	1,254 4 0	44	12	1,257 6 0	43	14	1,260 6 6
45	8	1,257 18 6	44	11	1,263 3 0	43	13	1,267 13 6
45	7	1,260 14 0	44	10	1,268 6 6	43	12	1,274 7 6
45	6	1,262 4 0	44	9	1,272 16 6	43	11	1,280 7 6
45	5	1,261 15 6	44	8	1,276 13 6	43	10	1,285 14 0
45	4	1,259 3 6	44	7	1,279 11 0	43	9	1,290 6 6
45	3	1,254 1 0	44	6	1,281 3 0	43	8	1,294 6 0
45	2	1,246 0 6	44	5	1,280 16 0	42	7	1,297 5 6
45	1	1,235 0 0	44	4	1,278 4 6	43	6	1,298 19 0
45	0	1,223 5 6	44	3	1,273 1 6	43	5	1,298 13 6
			44	2	1,264 19 0	43	4	1,296 2 6
			44	1	1,253 15 6	43	3	1,290 19 0
44	44	1,109 2 0	44	0	1,241 18 0	43	2	1,282 15 0
44	43	1,120 0 6				43	1	1,271 9 6
44	42	1,129 18 6				43	0	1,259 9 0
44	41	1,139 0 6	43	43	1,131 7 0			
44	40	1,147 0 0	43	42	1,141 12 0			

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.
		£ s. d.			£ s. d.			£ s. d.
42	42	1,152 4 0	41	41	1,172 2 6	40	40	1,190 7 0
42	41	1,162 0 0	41	40	1,181 1 6	40	39	1,198 18 6
42	40	1,170 12 6	41	39	1,189 7 6	40	38	1,206 19 0
42	39	1,178 12 0	41	38	1,197 2 0	40	37	1,214 11 6
42	38	1,186 0 6	41	37	1,204 8 6	40	36	1,221 14 0
42	37	1,193 1 6	41	36	1,211 6 0	40	35	1,228 7 0
42	36	1,199 13 6	41	35	1,217 13 6	40	34	1,234 7 6
42	35	1,205 16 0	41	34	1,223 9 6	40	33	1,239 14 6
42	34	1,211 6 6	41	33	1,228 11 6	40	32	1,244 7 6
42	33	1,216 4 0	41	32	1,233 0 6	40	31	1,248 8 6
42	32	1,220 8 6	41	31	1,236 17 6	40	30	1,252 1 0
42	31	1,224 1 6	41	30	1,240 6 0	40	29	1,255 5 0
42	30	1,227 6 6	41	29	1,243 6 6	40	28	1,257 19 6
42	29	1,230 3 0	41	28	1,245 17 6	40	27	1,260 5 0
42	28	1,232 11 0	41	27	1,248 0 0	40	26	1,262 0 6
42	27	1,234 10 6	41	26	1,249 12 6	40	25	1,262 5 6
42	26	1,236 0 6	41	25	1,249 15 6	40	24	1,262 4 0
42	25	1,236 1 0	41	24	1,249 12 0	40	23	1,262 0 6
42	24	1,235 15 6	41	23	1,249 6 6	40	22	1,262 0 0
42	23	1,235 8 6	41	22	1,249 4 6	40	21	1,262 11 6
42	22	1,235 5 0	41	21	1,249 14 0	40	20	1,265 6 6
42	21	1,235 13 0	41	20	1,252 7 6	40	19	1,269 5 6
42	20	1,238 4 6	41	19	1,256 4 6	40	18	1,274 9 0
42	19	1,241 19 6	41	18	1,261 6 0	40	17	1,280 19 0
42	18	1,246 18 6	41	17	1,267 13 6	40	16	1,288 8 0
42	17	1,253 4 0	41	16	1,274 19 6	40	15	1,296 9 6
42	16	1,260 7 6	41	15	1,282 18 6	40	14	1,304 12 0
42	15	1,268 3 0	41	14	1,290 18 6	40	13	1,312 8 0
42	14	1,276 0 6	41	13	1,298 11 6	40	12	1,319 10 6
42	13	1,283 10 6	41	12	1,305 11 0	40	11	1,325 18 6
42	12	1,290 7 6	41	11	1,311 16 6	40	10	1,331 12 6
42	11	1,296 10 0	41	10	1,317 8 6	40	9	1,336 12 6
42	10	1,301 19 0	41	9	1,322 6 0	40	8	1,340 19 0
42	9	1,306 14 6	41	8	1,326 10 0	40	7	1,344 5 6
42	8	1,310 16 0	41	7	1,329 14 6	40	6	1,346 4 0
42	7	1,313 18 0	41	6	1,331 11 6	40	5	1,346 2 0
42	6	1,315 13 6	41	5	1,331 8 0	40	4	1,343 13 0
42	5	1,315 9 0	41	4	1,328 18 6	40	3	1,338 9 0
42	4	1,312 18 6	41	3	1,323 14 6	40	2	1,330 2 0
42	3	1,307 15 0	41	2	1,315 8 6	40	1	1,318 10 6
42	2	1,299 10 0	41	1	1,303 18 6	40	0	1,306 2 0
42	1	1,288 2 0	41	0	1,291 12 6			
42	0	1,275 18 6				39	39	1,207 16 0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
39	38	1,216	2	0	38	35	1,247	13	6	37	31	1,279	7	0
39	37	1,224	0	0	38	34	1,254	3	6	37	30	1,283	11	0
39	36	1,231	8	0	38	33	1,259	19	6	37	29	1,287	5	6
39	35	1,238	6	0	38	32	1,265	1	6	37	28	1,290	10	6
39	34	1,244	11	6	38	31	1,269	10	6	37	27	1,293	5	0
39	33	1,250	3	0	38	30	1,273	11	0	37	26	1,295	9	0
39	32	1,255	0	6	38	29	1,277	1	6	37	25	1,296	1	6
39	31	1,259	5	6	38	28	1,280	3	0	37	24	1,296	6	6
39	30	1,263	2	0	38	27	1,282	14	6	37	23	1,296	9	0
39	29	1,266	9	6	38	26	1,284	16	0	37	22	1,296	14	0
39	28	1,269	7	6	38	25	1,285	6	0	37	21	1,297	10	6
39	27	1,271	16	0	38	24	1,285	8	6	37	20	1,300	11	6
39	26	1,273	14	0	38	23	1,285	8	6	37	19	1,304	16	6
39	25	1,274	1	6	38	22	1,285	12	0	37	18	1,310	7	0
39	24	1,274	2	0	38	21	1,286	6	6	37	17	1,317	4	0
39	23	1,274	0	6	38	20	1,289	6	0	37	16	1,325	0	6
39	22	1,274	2	0	38	19	1,293	8	6	37	15	1,333	10	0
39	21	1,274	15	0	38	18	1,298	16	6	37	14	1,342	1	0
39	20	1,277	12	0	38	17	1,305	11	6	37	13	1,350	5	0
39	19	1,281	12	6	38	16	1,313	5	6	37	12	1,357	15	0
39	18	1,286	18	6	38	15	1,321	12	6	37	11	1,364	10	6
39	17	1,293	11	0	38	14	1,330	0	6	37	10	1,370	12	0
39	16	1,301	2	6	38	13	1,338	2	0	37	9	1,375	19	0
39	15	1,309	6	6	38	12	1,345	9	6	37	8	1,380	12	0
39	14	1,317	12	0	38	11	1,352	2	6	37	7	1,384	4	0
39	13	1,325	10	6	38	10	1,358	1	6	37	6	1,386	8	0
39	12	1,332	15	6	38	9	1,363	6	0	37	5	1,386	10	0
39	11	1,339	6	0	38	8	1,367	17	0	37	4	1,384	3	0
39	10	1,345	3	0	38	7	1,371	7	0	37	3	1,378	19	6
39	9	1,350	5	6	38	6	1,373	9	6	37	2	1,370	10	0
39	8	1,354	14	0	38	5	1,373	10	0	37	1	1,358	13	6
39	7	1,358	2	0	38	4	1,371	2	6	37	0	1,345	19	6
39	6	1,360	2	6	38	3	1,365	18	6					
39	5	1,360	2	0	38	2	1,357	10	0					
39	4	1,357	13	6	38	1	1,345	15	0	36	36	1,257	7	6
39	3	1,352	10	0	38	0	1,333	2	6	36	35	1,265	0	6
39	2	1,344	2	0						36	34	1,272	0	0
39	1	1,332	8	6						36	33	1,278	5	0
39	0	1,319	18	0	37	37	1,241	5	6	36	32	1,283	15	6
					37	36	1,249	4	0	36	31	1,288	13	0
					37	35	1,256	12	0	36	30	1,293	1	0
38	38	1,224	13	6	37	34	1,263	7	0	36	29	1,296	19	0
38	37	1,232	17	0	37	33	1,269	7	6	36	28	1,300	7	0
38	36	1,240	10	0	37	32	1,274	13	6	36	27	1,303	5	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
36	26	1,305	12	0	35	20	1,321	12	6	34	13	1,383	9	0
36	25	1,306	7	0	35	19	1,326	1	6	34	12	1,391	6	6
36	24	1,306	14	0	35	18	1,331	16	6	34	11	1,398	9	0
36	23	1,306	18	6	35	17	1,338	18	6	34	10	1,404	17	6
36	22	1,307	5	6	35	16	1,347	0	6	34	9	1,410	10	6
36	21	1,308	4	0	35	15	1,355	15	0	34	8	1,415	10	0
36	20	1,311	7	0	35	14	1,364	11	6	34	7	1,419	7	6
36	19	1,315	14	6	35	13	1,373	0	6	34	6	1,421	16	0
36	18	1,321	7	0	35	12	1,380	15	6	34	5	1,422	2	0
36	17	1,328	6	6	35	11	1,387	16	0	34	4	1,419	17	0
36	16	1,336	5	6	35	10	1,394	2	0	34	3	1,414	14	0
36	15	1,344	18	0	35	9	1,399	13	0	34	2	1,406	3	6
36	14	1,353	11	6	35	8	1.404	10	0	34	1	1,394	3	6
36	13	1,361	18	0	35	7	1,408	6	0	34	0	1,381	4	6
36	12	1,369	10	6	35	6	1,410	13	0					
36	11	1,376	8	6	35	5	1,410	17	6					
36	10	1,382	12	0	35	4	1,408	12	0	33	33	1,301	3	0
36	9	1,388	1	0	35	3	1,403	9	0	33	32	1,307	6	0
36	8	1,392	16	6	35	2	1,394	19	0	33	31	1,312	15	0
36	7	1,396	10	6	35	1	1,382	19	6	33	30	1,317	14	6
36	6	1,398	16	0	35	0	1,370	2	0	33	29	1,322	3	0
36	5	1,398	19	0						33	28	1,326	1	6
36	4	1,396	13	0						33	27	1,329	8	6
36	3	1,391	9	6	34	34	1,287	11	6	33	26	1,332	4	6
36	2	1,383	0	0	34	33	1,294	5	0	33	25	1,333	7	0
36	1	1,371	2	0	34	32	1,300	4	0	33	24	1,334	1	0
36	0	1,358	6	0	34	31	1,305	9	6	33	23	1,334	12	6
					34	30	1,310	5	0	33	22	1,335	5	6
					34	29	1,314	10	0	33	21	1,336	9	6
35	35	1,272	18	0	34	28	1,318	5	0	33	20	1,339	19	6
35	34	1,280	2	6	34	27	1,321	9	0	33	19	1,344	13	0
35	33	1,286	12	0	34	26	1,324	2	0	33	18	1,350	12	6
35	32	1,292	6	6	34	25	1,325	2	0	33	17	1,358	0	0
35	31	1,297	8	0	34	24	1,325	14	0	33	16	1,366	6	6
35	30	1,302	0	0	34	23	1,326	2	6	33	15	1,375	6	6
35	29	1,306	1	6	34	22	1,326	13	6	33	14	1,384	8	0
35	28	1,309	13	0	34	21	1,327	16	0	33	13	1,393	2	0
35	27	1,312	14	0	34	20	1,331	3	6	33	12	1,401	2	0
35	26	1,315	4	0	34	19	1,335	15	0	33	11	1,408	7	0
35	25	1,316	1	6	34	18	1,341	12	6	33	10	1,414	17	0
35	24	1,316	11	0	34	17	1,348	17	0	33	9	1,420	12	6
35	23	1,316	17	6	34	16	1,357	1	0	33	8	1,425	13	6
35	22	1,317	6	6	34	15	1,365	18	6	33	7	1,429	13	0
35	21	1,318	7	0	34	14	1,374	17	6	33	6	1,432	3	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
33	5	1,432	10	0
33	4	1,430	6	0
33	3	1,425	3	6
33	2	1,416	12	6
33	1	1,404	11	6
33	0	1,391	11	0
32	32	1,313	12	6
32	31	1,319	5	6
32	30	1,324	8	6
32	29	1,329	0	6
32	28	1,333	2	0
32	27	1,336	12	6
32	26	1,339	11	6
32	25	1,340	16	6
32	24	1,341	13	0
32	23	1,342	6	6
32	22	1,343	1	6
32	21	1,344	8	0
32	20	1,348	0	0
32	19	1,352	15	6
32	18	1,358	17	6
32	17	1,366	7	0
32	16	1,374	16	0
32	15	1,383	18	6
32	14	1,393	2	6
32	13	1,401	19	0
32	12	1,410	1	6
32	11	1,417	8	6
32	10	1,424	1	0
32	9	1,429	18	0
32	8	1,435	1	0
32	7	1,439	2	0
32	6	1,441	14	0
32	5	1,442	2	0
32	4	1,439	19	0
32	3	1,434	16	6
32	2	1,426	5	6
32	1	1,414	3	6
32	0	1,401	2	0
31	31	1,325	2	0
31	30	1,330	8	6
31	29	1,335	4	0
31	28	1,339	9	0
31	27	1,343	2	6
31	26	1,346	4	0
31	25	1,347	12	0
31	24	1,348	10	6
31	23	1,349	6	0
31	22	1,350	3	6
31	21	1,351	12	0
31	20	1,355	6	0
31	19	1,360	4	0
31	18	1,366	8	0
31	17	1,374	0	0
31	16	1,382	11	6
31	15	1,391	16	6
31	14	1,401	2	6
31	13	1,410	2	0
31	12	1,418	6	6
31	11	1,425	15	6
31	10	1,432	10	0
31	9	1,438	9	0
31	8	1,443	14	0
31	7	1,447	16	6
31	6	1,450	10	0
31	5	1,450	19	0
31	4	1,448	17	0
31	3	1,443	15	0
31	2	1,435	3	6
31	1	1,423	1	0
31	0	1,409	18	6
30	30	1,335	18	6
30	29	1,340	17	0
30	28	1,345	5	0
30	27	1,349	1	6
30	26	1,352	6	0
30	25	1,353	16	6
30	24	1,354	17	6
30	23	1,355	15	6
30	22	1,356	15	0
30	21	1,358	5	6
30	20	1,362	1	6
30	19	1,367	2	0
30	18	1,373	8	0
30	17	1,381	2	6
30	16	1,389	16	0
30	15	1,399	3	6
30	14	1,408	12	0
30	13	1,417	13	6
30	12	1,426	0	6
30	11	1,433	11	6
30	10	1,440	8	0
30	9	1,446	9	6
30	8	1,451	16	0
30	7	1,456	0	6
30	6	1,458	15	0
30	5	1,459	5	6
30	4	1,457	4	0
30	3	1,452	2	0
30	2	1,443	11	0
30	1	1,431	7	6
30	0	1,418	4	6
29	29	1,345	19	6
29	28	1,350	10	6
29	27	1,354	9	6
29	26	1,357	17	0
29	25	1,359	10	0
29	24	1,360	13	6
29	23	1,361	13	6
29	22	1,362	15	0
29	21	1,364	7	6
29	20	1,368	6	0
29	19	1,373	8	6
29	18	1,379	17	0
29	17	1,387	13	6
29	16	1,396	9	6
29	15	1,405	19	6
29	14	1,415	10	0
29	13	1,424	14	0
29	12	1,433	3	0
29	11	1,440	16	0
29	10	1,447	14	6
29	9	1,453	17	6
29	8	1,459	6	0

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
29	7	1,463	12	0	27	24	1,370	10	6	26	9	1,472	8	6
29	6	1,466	8	0	27	23	1,371	15	0	26	8	1,478	2	0
29	5	1,466	19	6	27	22	1,373	1	0	26	7	1,482	12	6
29	4	1,464	19	0	27	21	1,374	17	6	26	6	1,485	13	0
29	3	1,459	18	0	27	20	1,379	0	0	26	5	1,486	8	0
29	2	1,451	6	6	27	19	1,384	6	6	26	4	1,484	9	6
29	1	1,439	3	0	27	18	1,390	19	6	26	3	1,479	10	0
29	0	1,425	18	6	27	17	1,399	0	0	26	2	1,470	19	0
					27	16	1,408	1	0	26	1	1,458	14	0
					27	15	1,417	15	0	26	0	1,445	8	6
28	28	1,355	4	6	27	14	1,427	10	6					
28	27	1,359	6	6	27	13	1,436	18	6					
28	26	1,362	16	6	27	12	1,445	12	0	25	25	1,375	2	6
28	25	1,364	12	0	27	11	1,453	9	0	25	24	1,376	15	6
28	24	1,365	18	0	27	10	1,460	11	6	25	23	1,378	4	0
28	23	1,367	0	6	27	9	1,466	18	0	25	22	1,379	14	0
28	22	1,368	4	0	27	8	1,472	9	6	25	21	1,381	14	6
28	21	1,369	18	6	27	7	1,476	19	0	25	20	1,386	1	0
28	20	1,373	19	0	27	6	1,479	18	0	25	19	1,391	11	6
28	19	1,379	3	6	27	5	1,480	11	6	25	18	1,398	8	6
28	18	1,385	14	0	27	4	1,478	13	0	25	17	1,406	13	6
28	17	1,393	13	0	27	3	1,473	12	6	25	16	1,415	18	0
28	16	1,402	11	6	27	2	1,465	1	6	25	15	1,425	16	6
28	15	1,412	3	6	27	1	1,452	16	6	25	14	1,435	15	6
28	14	1,421	16	6	27	0	1,439	11	6	25	13	1,445	7	6
28	13	1,431	2	6						25	12	1,454	4	6
28	12	1,439	13	6						25	11	1,462	5	6
28	11	1,447	9	0	26	26	1,370	19	6	25	10	1,469	11	6
28	10	1,454	9	6	26	25	1,373	0	0	25	9	1,476	1	0
28	9	1,460	14	0	26	24	1,374	10	6	25	8	1,481	16	0
28	8	1,466	4	0	26	23	1,375	17	0	25	7	1,486	8	0
28	7	1,470	12	0	26	22	1,377	5	0	25	6	1,489	9	6
28	6	1,473	9	6	26	21	1,379	3	6	25	5	1,490	6	0
28	5	1,474	2	0	26	20	1,383	8	0	25	4	1,488	8	6
28	4	1,472	2	6	26	19	1,388	17	0	25	3	1,483	9	6
28	3	1,467	1	6	26	18	1,395	11	6	25	2	1,474	19	0
28	2	1,458	10	0	26	17	1,403	14	6	25	1	1,462	14	0
28	1	1,446	6	0	26	16	1,412	17	6	25	0	1,449	8	6
28	0	1,433	1	0	26	15	1,422	14	0					
					26	14	1,432	11	6					
					26	13	1,442	1	6	24	24	1,378	10	6
27	27	1,363	11	6	26	12	1,450	16	6	24	23	1,380	1	0
27	26	1,367	4	6	26	11	1,458	16	0	24	22	1,381	13	0
27	25	1,369	2	0	26	10	1,466	0	0	24	21	1,383	15	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
24	20	1,388	4	0	23	2	1,481	12	6	21	7	1,499	4	6
24	19	1,393	16	6	23	1	1,469	8	0	21	6	1,502	11	0
24	18	1,400	15	0	23	0	1,456	2	6	21	5	1,503	11	0
24	17	1,409	1	6						21	4	1,501	17	6
24	16	1,418	8	0						21	3	1,497	1	6
24	15	1,428	8	6	22	22	1,385	3	6	21	2	1,488	13	0
24	14	1,438	9	6	22	21	1,387	9	6	21	1	1,476	9	0
24	13	1,448	3	0	22	20	1,392	1	6	21	0	1,463	3	6
24	12	1,457	1	6	22	19	1,397	18	0					
24	11	1,465	4	6	22	18	1,405	0	0					
24	10	1,472	11	6	22	17	1,413	10	0	20	20	1,399	7	6
24	9	1,479	3	0	22	16	1,423	0	0	20	19	1,405	7	6
24	8	1,484	19	6	22	15	1,433	4	0	20	18	1,412	13	6
24	7	1,489	13	0	22	14	1,443	8	6	20	17	1,421	7	6
24	6	1,492	15	6	22	13	1,453	5	6	20	16	1,431	1	6
24	5	1,493	13	0	22	12	1,462	7	0	20	15	1,441	9	0
24	4	1,491	16	6	22	11	1,470	13	0	20	14	1,451	17	6
24	3	1,486	18	6	22	10	1,478	3	6	20	13	1,461	18	6
24	2	1,478	8	0	22	9	1,484	17	6	20	12	1,471	3	6
24	1	1,466	3	6	22	8	1,490	16	6	20	11	1,479	13	0
24	0	1,452	18	0	22	7	1,495	13	0	20	10	1,487	6	6
					22	6	1,498	18	0	20	9	1,494	4	0
					22	5	1,499	17	6	20	8	1,500	6	0
23	23	1,381	14	0	22	4	1,498	3	0	20	7	1,505	5	0
23	22	1,383	7	6	22	3	1,493	6	6	20	6	1,508	13	0
23	21	1,385	12	0	22	2	1,484	17	6	20	5	1,509	14	6
23	20	1,390	2	6	22	1	1,472	13	0	20	4	1,508	2	0
23	19	1,395	17	0	22	0	1,459	7	6	20	3	1,503	6	6
23	18	1,402	17	0						20	2	1,494	18	0
23	17	1,411	5	6						20	1	1,482	13	6
23	16	1,420	14	0	21	21	1,389	17	6	20	0	1,469	8	0
23	15	1,430	15	6	21	20	1,394	11	6					
23	14	1,440	18	6	21	19	1,400	9	6					
23	13	1,450	14	0	21	18	1,407	13	6	19	19	1,411	9	6
23	12	1,459	14	0	21	17	1,416	5	6	19	18	1,418	17	6
23	11	1,467	18	6	21	16	1,425	17	0	19	17	1,427	14	0
23	10	1,475	7	0	21	15	1,436	2	6	19	16	1,437	10	0
23	9	1,482	0	0	21	14	1,446	9	0	19	15	1,448	0	0
23	8	1,487	17	6	21	13	1,456	7	6	19	14	1,458	10	6
23	7	1,492	12	6	21	12	1,465	11	0	19	13	1,468	14	0
23	6	1,495	16	6	21	11	1,473	18	6	19	12	1,478	1	6
23	5	1,496	15	0	21	10	1,481	10	6	19	11	1,486	12	6
23	4	1,494	19	6	21	9	1,488	6	0	19	10	1,494	8	6
23	3	1,490	2	0	21	8	1,494	6	6	19	9	1,501	7	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
19	8	1,507	11	6
19	7	1,512	12	0
19	6	1,516	1	0
19	5	1,517	4	0
19	4	1,515	12	0
19	3	1,510	17	0
19	2	1,502	8	6
19	1	1,490	3	6
19	0	1,476	17	0
18	18	1,426	8	0
18	17	1,435	6	6
18	16	1,445	5	6
18	15	1,455	18	0
18	14	1,466	11	0
18	13	1,476	16	6
18	12	1,486	6	6
18	11	1,495	0	0
18	10	1,502	17	6
18	9	1,509	19	0
18	8	1,516	4	6
18	7	1,521	7	0
18	6	1,524	17	6
18	5	1,526	1	6
18	4	1,524	10	6
18	3	1,519	15	6
18	2	1,511	7	0
18	1	1,499	1	6
18	0	1,485	14	0
17	17	1,444	8	0
17	16	1,454	9	6
17	15	1,465	4	6
17	14	1,476	0	6
17	13	1,486	9	0
17	12	1,496	1	6
17	11	1,504	17	0
17	10	1,512	17	6
17	9	1,520	0	6
17	8	1,526	8	6
17	7	1,531	12	6
17	6	1,535	5	0
17	5	1,536	10	0
17	4	1,534	19	6
17	3	1,530	5	0
17	2	1,521	16	0
17	1	1,509	9	6
17	0	1,496	1	0
16	16	1,464	14	0
16	15	1,475	12	0
16	14	1,486	11	0
16	13	1,497	2	0
16	12	1,506	17	6
16	11	1,515	16	0
16	10	1,523	18	6
16	9	1,531	4	0
16	8	1,537	14	0
16	7	1,543	0	0
16	6	1,546	14	0
16	5	1,548	0	0
16	4	1,546	10	6
16	3	1,541	16	0
16	2	1,533	6	6
16	1	1,520	19	0
16	0	1,507	9	0
15	15	1,486	13	0
15	14	1,497	15	6
15	13	1,508	9	6
15	12	1,518	7	6
15	11	1,527	9	0
15	10	1,535	14	0
15	9	1,543	2	0
15	8	1,549	14	6
15	7	1,555	2	6
15	6	1,558	18	0
15	5	1,560	5	6
15	4	1,558	17	0
15	3	1,554	2	6
15	2	1,545	12	6
15	1	1,533	3	6
15	0	1,519	12	0
14	14	1,509	0	6
14	13	1,519	18	0
14	12	1,529	19	0
14	11	1,539	3	0
14	10	1,547	11	0
14	9	1,555	1	6
14	8	1,561	16	0
14	7	1,567	6	6
14	6	1,571	3	6
14	5	1,572	12	6
14	4	1,571	4	6
14	3	1,566	10	6
14	2	1,558	0	0
14	1	1,545	10	0
14	0	1,531	16	6
13	13	1,530	18	6
13	12	1,541	2	6
13	11	1,550	9	6
13	10	1,559	0	0
13	9	1,566	13	0
13	8	1,573	10	0
13	7	1,579	2	0
13	6	1,583	1	6
13	5	1,584	11	6
13	4	1,583	4	6
13	3	1,578	11	0
13	2	1,569	19	6
13	1	1,557	8	6
13	0	1,543	13	6
12	12	1,551	9	6
12	11	1,560	19	6
12	10	1,569	12	6
12	9	1,577	8	0
12	8	1,584	7	6
12	7	1,590	1	6
12	6	1,594	2	6
12	5	1,595	14	6
12	4	1,594	8	0
12	3	1,589	15	0
12	2	1,581	3	6

Succession Duty.

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.
		£ s. d.			£ s. d.			£ s. d.
12	1	1,568 11 0	9	5	1,623 18 6	6	0	1,601 18 6
12	0	1,554 14 6	9	4	1,622 15 6			
			9	3	1,618 4 0			
			9	2	1,609 12 0	5	5	1,644 15 0
11	11	1,570 11 6	9	1	1,596 17 6	5	4	1,643 17 0
11	10	1,579 7 6	9	0	1,582 18 0	5	3	1,639 8 6
11	9	1,587 5 6				5	2	1,630 19 0
11	8	1,594 7 0				5	1	1,618 5 0
11	7	1,600 3 6	8	8	1,619 3 6	5	0	1,604 4 6
11	6	1,604 6 6	8	7	1,625 6 0			
11	5	1,605 19 6	8	6	1,629 14 6			
11	4	1,604 14 6	8	5	1,631 12 0	4	4	1,643 0 0
11	3	1,600 1 6	8	4	1,630 10 0	4	3	1,638 13 0
11	2	1,591 10 0	8	3	1,625 19 0	4	2	1,630 4 6
11	1	1,578 16 6	8	2	1,617 7 6	4	1	1,617 11 6
11	0	1,564 11 6	8	1	1,604 12 6	4	0	1,603 12 6
			8	0	1,590 12 6			
10	10	1,588 6 0				3	3	1,634 7 6
10	9	1,596 6 6	7	7	1,631 11 0	3	2	1,626 0 6
10	8	1,603 10 0	7	6	1,636 1 0	3	1	1,613 9 6
10	7	1,609 9 0	7	5	1,638 0 0	3	0	1,599 11 6
10	6	1,613 13 6	7	4	1,636 19 6			
10	5	1,615 8 0	7	3	1,632 9 0			
10	4	1,614 4 0	7	2	1,623 18 0	2	2	1,617 16 0
10	3	1,609 11 6	7	1	1,611 3 0	2	1	1,605 7 0
10	2	1,601 0 0	7	0	1,597 2 0	2	0	1,591 11 6
10	1	1,588 6 0						
10	0	1,574 7 0						
			6	6	1,640 12 6	1	1	1,593 1 0
			6	5	1,642 13 0	1	0	1,579 9 0
9	9	1,604 9 6	6	4	1,641 14 0			
9	8	1,611 15 6	6	3	1,637 4 6			
9	7	1,617 16 0	6	2	1,628 14 0	Birth	Birth	1,566 0 0
9	6	1,622 2 6	6	1	1,615 19 0			

TABLE III.

The Values of an Annuity of £100 per Annum, for any Number of Years, not exceeding 95.

Years.	Values. £	s.	d.	Years.	Values. £	s.	d.
1	96	3	0	49	2,134	2	6
2	188	12	0	50	2,148	4	0
3	277	10	0	51	2,161	14	6
4	362	19	6	52	2,174	15	0
5	445	3	6	53	2,187	5	0
6	524	4	0	54	2,199	5	6
7	600	4	0	55	2,210	17	0
8	673	5	0	56	2,221	19	6
9	743	10	6	57	2,232	13	0
10	811	1	6	58	2,242	19	0
11	876	0	6	59	2,252	16	6
12	938	10	0	60	2,262	6	6
13	998	11	0	61	2,271	9	6
14	1,056	6	0	62	2,280	5	6
15	1,111	16	6	63	2,288	14	6
16	1,165	4	6	64	2,296	17	0
17	1,216	11	0	65	2,304	13	0
18	1,265	18	6	66	2,312	3	6
19	1,313	7	6	67	2,319	8	0
20	1,359	0	6	68	2,326	7	0
21	1,402	18	0	69	2,333	0	6
22	1,445	2	0	70	2,339	9	0
23	1,485	13	6	71	2,345	12	6
24	1,524	13	6	72	2,351	11	0
25	1,562	4	0	73	2,357	5	0
26	1,598	5	6	74	2,362	15	0
27	1,632	19	0	75	2,368	0	6
28	1,666	6	0	76	2,373	2	0
29	1,698	7	0	77	2,377	19	6
30	1,729	4	0	78	2,382	13	6
31	1,758	16	6	79	2,387	4	0
32	1,787	7	0	80	2,391	10	6
33	1,814	15	0	81	2,395	14	0
34	1,841	2	0	82	2,399	14	0
35	1,866	9	0	83	2,403	11	6
36	1,890	16	6	84	2,407	5	6
37	1,914	5	0	85	2,410	17	0
38	1,936	15	6	86	2,414	5	6
39	1,958	8	6	87	2,417	11	6
40	1,979	5	6	88	2,420	14	6
41	1,999	6	0	89	2,423	15	6
42	2,018	11	0	90	2,426	14	6
43	2,037	1	6	91	2,429	10	6
44	2,054	17	6	92	2,432	5	0
45	2,072	0	0	93	2,434	17	0
46	2,088	9	0	94	2,437	7	0
47	2,104	5	6	95	2,439	15	6
48	2,119	10	0				

RULES

FOR INFERRING

The Value of an Annuity of 100*l.* per Annum, held on the longest of Two Lives:

Also, The Value of an Annuity of 100*l.* per Annum, held on the joint Continuance of Three Lives:

Also, The Value of an Annuity of 100*l.* per Annum, held on the longest of Three Lives.

RULE for determining the Value of an Annuity of 100*l.* per Annum, held on the longest of Two Lives.

The Values of an Annuity of 100*l.* per Annum held on each of the single Lives, to be added together, (from Table I.,) and from this Sum the Value of an Annuity held on the joint Continuance of the Two Lives (from Table II.) to be subtracted; the Result is the Value of an Annuity of 100*l.* per Annum, held on the longest of the Two Lives.

RULE for determining the Value of an Annuity of 100*l.* per Annum, held on the joint Continuance of Three Lives.

The Value of an Annuity of 100*l.* per Annum on the joint Continuance of the Two elder Lives is to be found from Table II. The Age of a single Life of the same (or nearest) Value, with the Annuity on the said joint Lives, to be found from Table I. The Value of an Annuity of 100*l.* per Annum on the joint Continuance of this Life and the younger Life from Table II., Five Pounds being deducted from this Sum, the Remainder is the Value of an Annuity of 100*l.* per Annum held on the joint Continuance of the Three Lives.

RULE for determining the Value of an Annuity of 100*l.* per Annum, held on the longest of Three Lives.

THE Values of an Annuity of 100*l.* per Annum for each of the Three single Lives to be extracted from Table I., and to be added together. The Value of an Annuity of 100*l.* per Annum on the joint Continuance of the Two youngest Lives, also the Value of an Annuity of 100*l.* per Annum on the joint Continuance of the Two eldest Lives, also the Value of an Annuity of 100*l.* per Annum on the joint Continuance of the oldest Life and the youngest Life, (all found by Table II.,) to be subtracted from the Sum or Addition of the Annuities on the Three single Lives: To the Result is to be added the Value of an Annuity of 100*l.* per Annum held on the joint Continuance of the Three Lives; the Amount is the Value of an Annuity of 100*l.* per Annum on the longest of the Three Lives.

FURTHER RULE.

And in all Cases where the Annuity shall be for more than Three Lives, the same shall be valued as an Annuity for the Three youngest of such Lives: And where the Annuity shall be given for a longer Term of Years than Ninety-five Years, or in perpetuity, the same shall be valued as an Annuity for Ninety-five Years only.

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the Schedule to this Act are Part of the Hereditaments which by the said Two first-recited Acts were authorized to be purchased for the Purpose of such new Street, but which have not yet been purchased; and it is expedient that the Time for purchasing or taking the same should be extended, and that the Commissioners of Her Majesty's Works and Public Buildings should have such further Powers as are after mentioned: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to purchase Hereditaments mentioned in the Schedule.

I. It shall be lawful for the Commissioners of Her Majesty's Works and Public Buildings, for the Purposes of the said Two first-recited Acts and this Act, to purchase and take all such of the Hereditaments comprised in the Schedule to this Act, or any Estate or Interest therein as in their Opinion may be necessary for making the said Street and otherwise carrying into effect the Provisions of the said Two first-recited Acts; and such Hereditaments may be purchased out of such Funds and in all respects as by the said Two first-recited Acts is provided, so that no such Purchase shall be made after the Period of Three Years to be computed from the First Day of *July* One thousand eight hundred and fifty-three; and all and singular the Powers and Authorities by the said Two first-recited Acts granted to or vested in the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings and their Successors, to purchase, take, and use any Hereditaments or Parts thereof or Rights or Interests therein required for the Purposes of the said last-mentioned Acts, and the new Street and Improvements thereby authorized to be made, and also the Powers for enabling Persons and Bodies to sell and convey, shall remain in force and be exercised by the Commissioners of Her Majesty's Works and Public Buildings for the Time being for the Purposes of this Act.

Commissioners empowered to sell or mortgage the Hereditaments purchased under the Two first-recited Acts and this Act.

II. It shall be lawful for the said Commissioners of Her Majesty's Works and Public Buildings to sell or mortgage the whole or any Part of the Hereditaments which have been purchased or acquired under the Powers of the said Two first-recited Acts or which may be purchased or acquired under this Act; and further that any Purchases of the said Hereditaments may be made out of any Monies in the Hands of the said Commissioners of Her Majesty's Works and Public Buildings applicable to the Purposes of the said Two first-recited Acts; and also that any Monies borrowed on Mortgage under the aforesaid Powers in that Behalf shall be applied for the Purposes of the said Two first-recited Acts at the sole Discretion of the

the said Commissioners, and any Monies borrowed on Mortgage may be paid off out of the Monies for the Time being at the Disposal of the said Commissioners for the Purposes aforesaid.

Street to be made according to a Plan agreed upon.

III. And whereas a Plan showing the Line of the said Street as proposed to be made adjoining to the Station of the *Eastern Counties* Railway Company has been signed by the Chairman of the Committee of the House of Commons to whom this Act when a Bill was referred: Be it therefore enacted, That nothing in this or the recited Acts contained shall authorize the said Commissioners to make the said Street otherwise than according to the said last-mentioned Plan, or to take any of the Lands belonging to the *Eastern Counties* Railway Company except such as are shown on the said Plan and marked with the Letter A. as intended to be taken for the Purposes of the said Street, and the said Commissioners shall and they are hereby required to convey to the said Company, free of Expense, the Lands shown on the said Plan and marked with the Letter B. as proposed to be thrown into the Yard or Approach to the Station of the said Company, and which last-mentioned Land shall be given in exchange and as an Equivalent for the Land of the said Company which on the said Plan is shown as intended to form Part of the said Street, and which last-mentioned Land shall be conveyed to the Commissioners, free of Expense, by the said Company.

Plan to be deposited.

IV. That the said last-mentioned Plan shall be deposited and remain at the Office of the Commissioners of Her Majesty's Works and Public Buildings, and the Map or Plan so deposited at the Office of the said Commissioners shall remain at the said Office to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

Receipts of Commissioners.

V. It shall be lawful for the said Commissioners of Her Majesty's Works and Public Buildings, or any Two of them, or the Chief Commissioner for the Time being, to give sufficient Discharges for any Monies payable to them under or by virtue of this Act, or the said Two first-recited Acts.

Short Title

VI. It shall be sufficient for all Purposes to cite this Act as the "*Spitalfields and Shoreditch* New Street Act, 1853."

The

The SCHEDULE to which this Act refers.

THE PARISH OF CHRISTCHURCH, SPITALFIELDS, IN THE COUNTY OF MIDDLESEX.

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Red Lion Street.		
28 & 1 East Street.	Dwelling House, Shop, and Yard.	- - -	- -	James Wing.
29	Dwelling House, Shop, and Yard.	- - -	- - - John Sperling.	Joseph Proudman.
30	Dwelling House, Shop, and Yard.	Sir Isaac Lyon Goldsmid, Charles Heaton Ellis, Sir James Sibbald, David Scott, Montague David Scott, and William James Maxwell, Trustees of the Will of the late Sir David Scott.	- - -	Isaac Lake, jun.
31	Dwelling House, Shop, and Yard.		- - -	Robert John Stainton.
32	Dwelling House, Shop, and Yard.		John Sperling - The Commissioners of Her Majesty's Works.	The Commissioners of Her Majesty's Works.
33	Dwelling House, Shop, and Yard.		- - -	John Law.
34	Dwelling House, Shop, and Yard.	- - -	John Sperling.	Louisa Newton.
35 & 19 Lamb Street.	Dwelling House, Shop, and Yard.	- - -	- - -	John Cook. John Witchalls.
		Brown's Lane.		
1	Dwelling House, Shop, and Yard.	Sarah Jones, Eliza Jones (Executors of Evan Jones), Eliza Jones, Charles Jones, Mary Jones, Louisa Jones, —— Jones, and Charles Jones.	The Commissioners of Her Majesty's Works.	The Commissioners of Her Majesty's Works.
		White Lion Street.		
21	Gateway, Yard, Counting House, Brewery, Stables, &c.	Samuel Betteley -	The Commissioners of Her Majesty's Works.	The Commissioners of Her Majesty's Works.
		Fleur-de-lis Court.		
14 and 15	Dwelling House, Back Premises, Gateway Entrance to Maidenhead Court.	The Commissioners of Her Majesty's Works.	Henry Parry and Morris Parry.	Henry Parry and Morris Parry.

Spitalfields to Shoreditch Improvement.

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Maidenhead Court.		
5, 6, 7	Dwelling Houses with small Back Yards.	The Commissioners of Her Majesty's Works.	Henry Parry and Morris Parry.	Henry Parry and Morris Parry and their weekly Tenants.
8, 9, 10, 11	Dwelling Houses partly taken down.		James Soames and Louis Soames.	James Soames and Louis Soames.
		Wheler Street.		
67	Dwelling House and Yard.	- - -	Elizabeth Oliver, Executrix of David Oliver.	George Fleming.
65½	Dwelling House and Yard.	- - -		Stephen Lishman.
65	Soap Manufactory, Counting House, Stabling, &c.	- - - The Commissioners of Her Majesty's Works.	James Soames and Louis Soames.	James Soames and Louis Soames.
64	Dwelling House, Yard, &c.	- - -	William John Rickaby Kiddle, Charlotte Elizabeth Witherfield, Arthur Witherfield.	William John Rickaby Kiddle, Charlotte Elizabeth Witherfield, Arthur Witherfield, and their weekly Tenants.
63	Dwelling House, Yard, &c.	- - -		
	Public Street -	The Commissioners of Paving, &c. for the Parish of Christ Church, Middlesex.		

THE PARISH OF SAINT LEONARD, SHOREDITCH, IN THE COUNTY OF MIDDLESEX.

		Marshall's Buildings.		
1	Dwelling House and Yard.	- - -	- - -	Benjamin Butcher.
2	Dwelling House and Yard.	- - -	- - -	Richard Prescot.
3	Dwelling House and Yard.	The Eastern Counties Railway Company, James Briggs Clark.	- - -	Mary Smith
4	Dwelling House and Yard.		- - -	Joseph Taylor.
5	Dwelling House and Yard.	- - -	- - -	Thomas Goodwin.
6	Dwelling House and Yard.	- - -	- - -	William Baily.
		Saint Leonard's Place.		
1	Dwelling House and Yard.	- - -	- - -	David Stibbe.
2	Dwelling House and Yard.	The Eastern Counties Railway Company, James Briggs Clark.	- - -	James Steward.
3	Dwelling House and Yard.		- - -	Charles Roberts.
4	Dwelling House and Yard.	- - -	- - -	Empty.

Spitalfields to Shoreditch Improvement.

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Saint John's Place.		
1	Dwelling House and Yard.	- - -	- - -	Robert Hoare.
2	Dwelling House and Yard.	The Eastern Counties Railway Company, James Briggs Clark.	- - -	William Rayner.
3	Dwelling House and Yard.		- - -	Charles Harding.
4	Dwelling House and Yard.	- - -	- - -	John Wright.
		Saint James's Place.		
1	Dwelling House and Yard.	- - -	- - -	Martha Taylor.
2	Dwelling House and Yard.	The Eastern Counties Railway Company, James Briggs Clark.	- - -	Sarah Edwards.
3	Dwelling House and Yard.		- - -	George Myers.
4	Dwelling House and Yard.	- - -	- - -	Richard Hughes.
		Elder Street.		
	Manufactory, Warehouses, Counting-house, Yards, Sheds, Stables, &c. -	The Eastern Counties Railway Company, James Briggs Clark.	Charles Frederick Powell and Miss Elizabeth Ann Powell.	Sophia Hatton.
	Garden - - -	- - -	Sophia Hatton -	John Doggett.
	Dwelling House and Premises, Stone Yard, &c.	- - -	Samuel Rutty -	Samuel Rutty.
	Piece of Ground, now Continuation of Street.	The Eastern Counties Railway Company, James Briggs Clark.	Charles Frederick Powell and Miss Elizabeth Ann Powell, Sophia Hatton.	James Briggs Clark, Charles Frederick Powell, and Miss Elizabeth Ann Powell, Sophia Hatton, Samue. Rutty, and their weekly Tenants.
	Piece of Ground, now Continuation of Street.	The Commissioners of Her Majesty's Works.	James Briggs Clark	
		Shoreditch High Street.		
31	Dwelling House, Shop, and Back Premises.	- - -	John Hopkins -	John Hopkins, Thomas Hopkins.
32 and 33	Dwelling House, Shop, and Back Yard.	- - -	George Greenwood, Thomas Greenwood.	George Greenwood, Thomas Greenwood.
34	Dwelling House, Shop, and Back Yard.	Mary Gordon, Elizabeth Sophia Rae, Thomas Francis Crosse.	James Richard Hancorn.	James Richard Hancorn.
35	Dwelling House, Shop, and Yard ("Unicorn Public House).	- - -	Messrs. Truman, Hanbury, Buxton, and Company, Joseph Moore Palmer.	Joseph Moore Palmer.
36	Dwelling House, Shop, and Back Yard.	- - -	John Doggett -	John Doggett.

Spitalfields to Shoreditch Improvement.

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Part of Court Yard of the Eastern Counties Railway Station and Railing and Gates.	- - -	- - -	The Eastern Counties Railway Company.
	Cab Office - -	The Eastern Counties Railway Company.	- - -	Henry Burgess Roff.
	Coal and Coke Office		- - -	Gilbert Alder.
	Slip of Ground adjoining No. 36, Shoreditch High Street.	- - -	- - -	The Eastern Counties Railway Company.
	Public Street -	The Commissioners of Paving for the Parish of Saint Leonard, Shoreditch.		

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annual Rental or Revenue thereof; and every such Interim Factor shall find Caution for his Intromissions to such Amount as the Lord Ordinary, or the Sheriff, where such Factor shall be appointed by the Sheriff, shall fix; and on such Caution being so found and received such Interim Factor shall be entitled to act, and a certified Copy of the Interlocutor containing his Appointment shall be equivalent to a formal Extract thereof; and such Interim Factor shall be entitled to make such Arrangements for the carrying on of the Trade of the Bankrupt as he may think beneficial for the Estate.

Deliverance awarding Sequestration to appoint Meeting to elect Trustee.

II. The Deliverance awarding Sequestration shall appoint a Meeting of the Creditors, to be held at a specified Hour on a specified Day, being not earlier than Twelve nor later than Twenty-one Days from the Date of such Deliverance, to elect a Trustee or Trustees in succession, and Commissioners, and to do the other Acts provided by the said recited Act to be done at the Meeting for electing a Trustee.

Not to be imperative on Lord Ordinary to grant personal Protection.

III. It shall not be imperative upon the Lord Ordinary, when awarding Sequestration, to grant to the Debtor or Partners of the Company against whom or which Sequestration is awarded a Warrant of Protection against Arrest or Imprisonment for Civil Debt until the Meeting of the Creditors for the Election of Trustee, but the Lord Ordinary may, while awarding Sequestration, refuse to grant such Warrant of Protection; and every such Warrant of Protection which may be granted in any Sequestration that shall not be advertised in the *London* and *Edinburgh* Gazettes in Terms of the said recited Act within One Week after the Date of such Sequestration shall be ineffectual, and incapable of being pleaded in Bar of personal Diligence: Provided always, that, notwithstanding the Lord Ordinary shall refuse to grant Interim Warrant of Protection as aforesaid, it shall be competent to the Creditors, on the Occasion of their Meeting to elect a Trustee, or at the Meeting after the Examination of the Bankrupt, or at any Meeting called for the Purpose of receiving an Offer of Composition, to resolve that personal Protection ought to be granted to the Bankrupt for such Time as they may think fit, and the Trustee shall thereupon apply to the Sheriff, who shall grant the Protection.

Deliverance of Sheriff as to the Election of Trustee to be final.

IV. The Deliverance of the Sheriff or Sheriff Substitute, declaring the Person or Persons elected to be Trustee or Trustees in succession, shall be final, and in no Case subject to Review in any Court or in any Manner whatever.

Trustee to send Circular to Creditors

V. It shall be the Duty of the Trustee, immediately after the Examination of the Bankrupt, to notify, by circular Letter transmitted through

through the Post Office to every Creditor mentioned in the State of Affairs which by the said recited Act is directed to be made up by the Bankrupt, the Period within which Claims should be lodged.

mentioned in the Bankrupt's State of Affairs.

VI. All Provisions of the said recited Act requiring any Creditor to specify separately in his Oath or Claim for his Debt the Amount of any Interest due thereon, or of any Interest deducted therefrom, or to specify any accumulated Sum of Principal and Interest, are hereby repealed.

Provisions as to separate Specification of Interest, &c. repealed.

VII. Where it shall appear to the Sheriff or to the Trustee that the Oath and Claim of any Person, produced with a view to voting or to ranking and drawing a Dividend on the Sequestration, is not framed in the Manner required by the said recited Act, the Sheriff or the Trustee, as the Case may be, shall call upon such Person, or his Procurator or Mandatory, to rectify his Oath and Claim, pointing out to him wherein it is defective; and unless such Person shall thereupon make such Alteration upon his Oath and Claim as may be necessary in order to rectify the same, the Sheriff or Trustee, as the Case may be, shall disallow or reject such Oath and Claim: Provided always, that where the Failure to comply with the Provisions of the said recited Act shall appear to have been made for some improper or fraudulent Purpose, or where Injury can be qualified by the other Creditors or any of them in respect thereof, it shall not be incumbent upon the Sheriff or Trustee to give such Person an Opportunity to rectify his Oath and Claim as aforesaid.

Errors in framing Oath and Claim may be corrected.

VIII. The Day to be fixed by the Sheriff for the Examination of the Bankrupt shall be not sooner than Seven Days nor later than Fourteen Days from the Date of the Sheriff's Warrant for such Examination; and the Meeting of Creditors appointed by the said recited Act to be held after the Examination of the Bankrupt shall be held on a Day not sooner than Seven Days nor later than Fourteen Days from the Day appointed for such Examination.

Time for Examination of Bankrupt, and for the Meeting of Creditors thereafter.

IX. Wherever it is by the said recited Act or by this Act directed that a Meeting of Creditors shall or may be called or held, a Notice of the Day, Hour, Place, and Purpose of the Meeting shall be advertised in the *Edinburgh Gazette* Seven Days at least before the Day of the Meeting, in place of Fourteen Days, as at present; and such Meeting may be adjourned till the following Day.

Notice on which Meetings may be called, shortened.

X. In place of the Times appointed by the said recited Act for Payment of Dividends, the Periods for Payment of Dividends shall be as follows; that is to say, where there are sufficient Funds realized, the First Dividend shall be payable on the First lawful Day after the Expiration

Provision for Payment and Acceleration of Dividends.

Expiration of Six Months from the Date of Sequestration, and a Dividend shall always be payable on the First lawful Day after the Expiration of Three Months from the Date of the Payment of the immediately preceding Dividend, until the whole Funds of the Bankrupt be distributed, subject always to the Provisions in the said recited Act and in this Act contained: Provided always, that after the Second Dividend is made, a Majority of the Creditors, at any General Meeting called for the Purpose, may determine that future Dividends shall be made after shorter Intervals, and the Affairs of the Estate brought to a more speedy Close; and even before the Period assigned for the First Dividend as aforesaid, it shall be competent to Three Fourths in Number and Value of the Creditors present at the Meeting after the Bankrupt's Examination, or at any after Meeting called for the Purpose, to direct the Trustee to apply to the Lord Ordinary or the Sheriff for Authority to make the First Dividend at an earlier Period than the Expiration of Six Months from the Date of the Sequestration, but not earlier than Four Months from such Date, if upon Cause shown it shall be found expedient so to do, and also to accelerate the Time for making the Second and other Dividends; and where the Lord Ordinary or the Sheriff shall, upon such Application, accelerate the First or any subsequent Dividend, he shall also make the requisite Provision for the Acceleration of any other Matters which he may find it necessary to accelerate in consequence thereof.

Time for lodging Oaths and Grounds of Debt in order to Dividend.

XI. To entitle any Creditor to Payment of the First Dividend, he shall produce, as directed by the said first-recited Act, his Oath and Grounds of Debt at least Two Months before the Time fixed for Payment of the First Dividend where such Time of Payment shall not have been accelerated, or One Month before the Time fixed for Payment of the First Dividend where such Time shall have been accelerated; and to entitle any Creditor to Payment of any of the subsequent Dividends, he shall produce, as aforesaid, his Oath and Grounds of Debt at least One Month before the Time fixed for Payment of the Dividend which he means to claim.

Time for making up State of Bankrupt's Affairs, and of the Trustee's Intromissions, &c.

XII. The State of the whole Estate of the Bankrupt, of the Funds recovered and outstanding, and of the Trustee's Intromissions and Management, directed by the said recited Act to be made up, shall be so made up immediately on the Expiration of Four Months from the Date of the Sequestration, in place of Six Months, as at present; and all Things directed by the said recited Act to be done by the Trustee, or Commissioners, or any other Person, within Fourteen Days after the Expiration of the said Six Months from the Date of the Sequestration, or within any Period calculated from the Expiration

tion of the said Fourteen Days, shall be done within Fourteen Days after the Expiration of the said Four Months from the Date of the Sequestration, and within the like Period calculated from the Expiration of the said last-mentioned Fourteen Days respectively; and the Notice which by the said recited Act is directed to be given in the *Edinburgh Gazette* published next after the Expiration of the said first-mentioned Fourteen Days shall in lieu thereof be given in the *Edinburgh Gazette* published next after the Expiration of the said last-mentioned Fourteen Days.

Time for making up Scheme of Division by the Trustee, and State of Affairs, &c., in order to Second Dividend.

XIII. The Scheme of Division directed by the said recited Act to be made up by the Trustee before the Expiration of Eight Months from the Date of the Sequestration shall be made up before the Expiration of Six Months from the said Date, and the State directed by the said recited Act to be made up by the Trustee on the Expiration of Ten Months from the Date of the Sequestration shall be made up on the Expiration of Seven Months from the said Date; and the Trustee shall, within Fourteen Days after the Expiration of the said Seven Months, exhibit the said State to the Commissioners, and thereupon such Procedure shall take place with reference to the said State, and to the Second Dividend, as is provided by the said recited Act.

Like Procedure to be followed on Occasion of subsequent Dividends.

XIV. The like Procedure shall be followed out as to subsequent Dividends at similar Intervals of Time thereafter, in order that a Dividend may be made on the first lawful Day after the Expiration of every Three Months from the Day of the Payment of the immediately preceding Dividend, until the whole Funds of the Bankrupt shall be divided.

Where Foreign Creditor lodges Oath and Grounds of Debt at any Time previous to a Dividend, though not in Time to participate in it, Fund to be laid aside.

XV. Where any Creditor not resident within *Great Britain* or *Ireland* at the Date of the Deliverance awarding Sequestration, or at any Time within Four Months thereafter, shall lodge his Oath and Grounds of Debt Fourteen Days previous to any Time fixed for Payment of a Dividend, though not in Time to entitle such Creditor to participate in such Dividend, the Trustee shall make such Deduction from the divisible Fund as shall be equal to the Dividend which would have been payable to such Foreign Creditor had his Oath and Grounds of Debt been timeously lodged and his Claim been sustained; and the Sum so deducted shall form Part of the Fund for Division on the Occasion of Payment of the next Dividend.

Proceedings in Petition for Bankrupt's Discharge.

XVI. The Bankrupt may, on the Expiration of Six Months from the Date of the Sequestration, in place of Eight Months, as at present, present a Petition to the Lord Ordinary or the Sheriff, to be finally discharged

discharged of all Debts contracted by him before the Date of the Sequestration, provided a Majority in Number and Four Fifths in Value of the Creditors who have produced Oaths concur in the Petition; and the Bankrupt may also present such Petition on the Expiration of Twelve Months from the Date of the Sequestration, provided a Majority in Number and Two Thirds in Value of the said Creditors concur in the Petition; and the Bankrupt may also present such Petition on the Expiration of Eighteen Months from the Date of the Sequestration, provided a Majority in Number and Value of the said Creditors concur in the Petition; and the Bankrupt may also present such Petition on the Expiration of Two Years from the Date of the Sequestration, without any Consents of Creditors; and the Lord Ordinary or the Sheriff, as the Case may be, shall, in each of the Cases aforesaid, order the Petition to be intimated in the *Edinburgh Gazette;* and if, at the Distance of not less than Twenty-one Days from the Publication of such Intimation, and on Evidence being produced of Concurrence as aforesaid, there be no Appearance to oppose the same, the Lord Ordinary or the Sheriff, as the Case may be, shall pronounce a Deliverance finding the Bankrupt entitled to a Discharge; but if Appearance be made by any of the Creditors, or by the Trustee, the Lord Ordinary or the Sheriff, as the Case may be, shall judge of any Objections against granting the Discharge, and shall either find the Bankrupt entitled to his Discharge, or refuse the Discharge, or defer the Consideration of the same for such Period as he may think proper, and may annex such Conditions thereto as the Justice of the Case may require: Provided always, that it shall not be competent for the Bankrupt to present a Petition for his Discharge, or to obtain any Consent of any Creditor to such Discharge, until the Trustee shall have prepared a Report with regard to the Conduct of the Bankrupt, and as to how far he has complied with the Provisions of the Statute, and in particular whether the Bankrupt has made a fair Discovery and Surrender of his Estate, and whether he has attended the Diets of Examination, and whether he has been guilty of any Collusion, and whether his Bankruptcy has arisen from innocent Misfortunes or Losses in Business, or from culpable or undue Conduct; and such Report shall be prepared by the Trustee, upon the Requisition of the Bankrupt, at any Time after the Expiration of Five Months from the Date of the Sequestration; and such Report shall be produced in the Proceedings for the Bankrupt's Discharge, and shall be referred to by its Date or by other distinct Reference in any Consent to his Discharge.

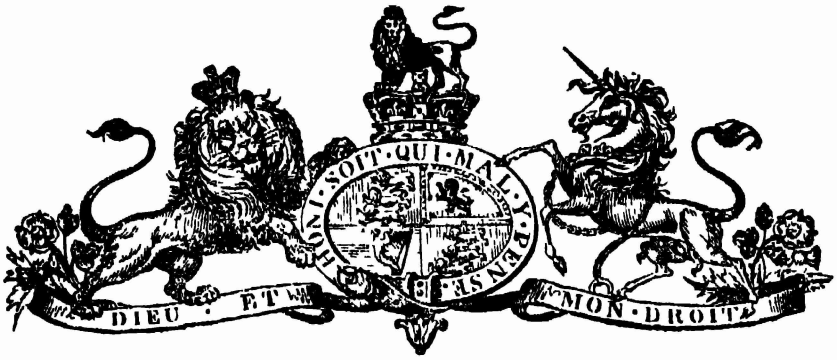
Accounts for Law Business

XVII. All Accounts for Law Business incurred by the Trustee shall, before Payment thereof by the Trustee, be submitted for Taxation

Taxation to the Auditor of the Court of Session, or to the Auditor of the Sheriff Court of the County in which the Bankrupt carried on his Business, as may be directed by a General Meeting of the Creditors. under Sequestration to be taxed.

XVIII. All Words and Expressions used in the said recited Act and in this Act shall, in construing this Act, be held to include the Meanings which they respectively include when used in the said recited Act. Interpretation of Terms.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1853.



ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

Customs Duties.

	£	s.	d.
or Spirits mixed with any Article, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer:			
If imported into Scotland - - the Gallon	0	5	0
——— Ireland - - the Gallon	0	3	8
——— Rum, the Produce of any British Possession within the Limits of the East India Company's Charter, not being sweetened Spirits or Spirits so mixed as aforesaid, in regard to which the Conditions of the Act 4 Victoria, Chapter 8, have or shall have been fulfilled:			
If imported into Scotland - - the Gallon	0	5	0
——— Ireland - - the Gallon	0	3	8
——— Rum Shrub, however sweetened, the Produce of and imported from such Possessions, in regard to which the Conditions of the Act, Fourth Victoria, Chapter Eight, have or shall have been fulfilled, or the Produce of and imported from any British Possession in America:			
If imported into Scotland - - the Gallon	0	5	0
——— Ireland - - the Gallon	0	3	8

Duties chargeable on Goods, &c. hereafter mentioned imported into United Kingdom to cease on June 1, 1853.

II. The Duties of Customs chargeable upon the Goods, Wares, and Merchandise hereafter mentioned imported into the United Kingdom shall cease and determine on and after the First Day of *June* One thousand eight hundred and fifty-three; viz.

Agates or Cornelians, cut or manufactured.
Albumen.
Amber, Manufactures of, not enumerated.
Anchovies.
Aquafortis.
Bandstring Twist.
Barytes, Sulphate of, ground.
Bast Ropes, Twines, and Strands.
Blacking.
Books being of Editions printed prior to the Year 1801, bound or unbound.
Bran.
Brass, Powder of.
Bricks and Clinkers, Dutch and other Sorts.
Bronze Powder.
Brushes, Paint.
Buttons of Metal and other Sorts.
Cameos, not set.
Camphor, refined.
Cantharides.
Carmine.
Carriages of all Sorts.
Casks, empty.
Catlings.

Chalk, prepared or manufactured, and not otherwise enumerated.
Cider.
Citron, preserved in Salt.
Cobalt, Oxide of.
Corks, Fishermen's.
Crayons.
Crystal, cut or manufactured.
Cucumbers preserved in Salt.
Elder Flower Water.
Extract of Chesnut Bark and Wood.
Quercitron Bark.
Logwood.
Safflower.
Fish, viz.
Eels.
Turbots.
of Foreign taking.
Oysters.
Salmon.
Soles.
Turtle.
fresh, not otherwise enumerated.
cured, not otherwise enumerated.
Frames for Pictures, Prints, Drawings, or Mirrors.
Furniture Woods, excepting Ash, Beech, Birch, Elm, Oak, Wainscot.
Gauze of Thread.
Gold, Leaves of.
Gunpowder.
Hair, Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool, and any other Material not particularly enumerated or otherwise charged with Duty.
Hams of all Kinds.
Harp Strings or Lute Strings, silvered.
Honey.
Ink, Indian.
Iron Wire.
Rough Castings.
Isinglass.
Latten Wire.
Mead or Metheglin.
Meat, preserved in any other Manner than salted.
Mercury, prepared.
Metal, Leaf Metal.
Naptha.
Oil of Rosin.
Olives.
Orange Flower Water.
Orsedew.
Painters Colours, manufactured.
Pencils, of Slate and not of Slate.

Perry.
Phosphorus.
Pickles, and Vegetables preserved in Salt.
Pollard.
Pomegranates.
Pots, viz.
    Melting Pots for Goldsmiths.
    of Stone.
Rose Water.
Saccharum Saturni.
Sausages or Puddings.
Seed; viz.
    Canary.
    Carrot.
    Clover.
    Grass of all Sorts.
    Leek.
    Lucern.
    Mustard.
    Onion.
    Trefoil.
    All other Sorts not particularly enumerated, or otherwise charged with Duty.
Silkworm Gut.
Skins. Articles manufactured of Skins or Furs.
Smalts.
Spectacles.
Spelter or Zinc; viz.
    Rods and Oxide of.
Stone and Slate, hewn.
    Marble, sawn into Slabs, or otherwise manufactured.
Tamarinds.
Tiles.
Tobacco Pipes of Clay.
Tongues.
Turpentine, of a greater Value than 15*s.* per Cwt.
    Oil or Spirit of.
Twine.
Vanelloes.
Varnish, not otherwise described.
Verdigris.
Wafers.
Wax, Sealing.
Whipcord.
Waste Wood; viz.
    Billet Wood or Brush Wood, used for the Purpose of Stowage.
Yarn of Silk and Worsted, spun together and not dyed.
    Raw Worsted Yarn not dyed, or only partially dyed, and not being fit or proper for embroidering, or other fancy Purposes.

Customs Duties.

III. In lieu of the Duties of Customs now chargeable on Tea imported into the United Kingdom, the following Duties shall be charged on and after the First Day of *June* One thousand eight hundred and fifty-three:

Duties to be charged on Tea, on and after June 1, 1853.

To 5th April 1854 inclusive.	From and after 5th April 1854 to 5th April 1855 inclusive.	From and after 5th April 1855 to 5th April 1856 inclusive.	From and after 5th April 1856.
£ s. d.	£ s. d.	£ s. d.	£ s. d.
0 1 10 per Pound.	0 1 6 per Pound.	0 1 3 per Pound.	0 1 0 per Pound.

IV. The Duties of Customs chargeable upon the Goods, Wares, and Merchandise hereafter mentioned imported into the United Kingdom, shall cease and determine on and after the Fourth Day of *June* One thousand eight hundred and fifty-three; viz.

Duties on Goods, &c. hereafter mentioned to cease on and after June 4, 1853.

Cables, not of Iron, new and old, tarred and untarred.
Coir Rope, Twine, and Strands.
Copper, Ore of.
Regulus of.
and Brass, old, fit only to be re-manufactured.
unwrought, viz. in Bricks or Pigs, Rose Copper, and all Cast Copper.
Part wrought, viz. Bars, Rods, or Ingots, hammered or raised.
in Plates, and Copper Coin.
or Brass Wire.
Cordage, tarred or untarred, including standing or running Rigging.
Glass: all Plate Glass, cast or rolled, of whatever Thickness, however small each Pane, Plate, or Sheet, whether silvered, polished, or rough.
painted or otherwise ornamented.
all White Flint Glass Bottles, not cut, engraved, or otherwise ornamented, and Beads and Bugles of Glass.
Wine Glasses, Tumblers, and all other White Flint Glass Goods, not cut, engraved, or otherwise ornamented.
Bottles of Glass covered with Wicker (not being Cut Glass), or of Green or common Glass.
Articles of Green or common Glass.
Manufactures, not otherwise enumerated or described, and old broken Glass, fit only to be re-manufactured.
Lead, Pig and Sheet.
Linen, or Linen and Cotton, viz.
Cambrics and Lawns, commonly called French Lawns, whether plain or bordered.
Lawns of any Sort, not French.
Damasks and Damask Diaper.
Sails of all Sorts.
Mats and Matting.
Pictures.

Poultry and Game, alive or dead.
Tin; viz.
in Blocks, Ingots, Bars, or Slabs.
Truffles.
Verjuice.
Wire; viz.
Gilt, plated, Silver and Brass.
Yarn, Cable Yarn.

In lieu of Duties now charged on Articles under mentioned, the following to be charged on and after June 4, 1853.

V. In lieu of the Duties of Customs now chargeable on the Articles under mentioned imported into the United Kingdom, the following Duties shall be charged on and after the Fourth Day of *June* One thousand eight hundred and fifty-three; viz.

		£	s.	d.
Apples, raw (not of British Possessions)	the Bushel	0	0	3
——— dried	the Bushel	0	1	0
Butter (not of British Possessions)	the Cwt.	0	5	0
Cheese (not of British Possessions) to be charged on the landing Weight	the Cwt.	0	2	6
Cocoa	the lb.	0	0	1
——— Husks and Shells	the lb.	0	0	0½
——— Paste and Chocolate	the lb.	0	0	2
Nuts, small	the Bushel	0	1	0
——— Walnuts	the Bushel	0	1	0
Raisins	the Cwt.	0	10	0
Almonds, Jordan	the Cwt.	0	10	0
——— not Jordan, nor bitter	the Cwt.	0	10	0
——— Paste of	the lb.	0	0	2
Arrow Root	the Cwt.	0	0	4½
Barley, pearled	the Cwt.	0	0	4½
Baskets, viz:—				
——— Baskets corresponding with the Description commonly called Berlin	the Cubic Foot	0	0	7
——— all others	the Cubic Foot	0	0	2
Beads, Coral	the lb.	0	1	6
——— Arango, Crystal, Jet, and other Sorts not enumerated or described	the lb.	0	0	2
Brass, Manufactures of, not otherwise enumerated	the Cwt.	0	10	0
Brocade of Gold or Silver	the lb.	0	5	0
Bronze, Manufactures of, not otherwise enumerated	the Cwt.	0	10	0
Candles, viz:—				
——— Spermaceti	the Cwt.	0	2	4
——— Stearine, till the 5th of April 1858, unless the Duty upon Tallow shall be repealed at an earlier Time, in which Case this Duty shall be reduced to the same Rate as Tallow Candles	the Cwt.	0	3	6
——— Tallow	the Cwt.	0	2	4
——— Wax	the Cwt.	0	2	4

Customs Duties.

		£	s.	d.
Canes, viz :—				
——— Walking Canes or Sticks, mounted, painted, or otherwise ornamented	the 100	0	6	0
——— Umbrella or Parasol Sticks	the 100	0	3	0
Capers, including the Pickle	the lb.	0	0	1½
Cards, viz., Playing Cards	the dozen Packs	0	15	0
Cassava Powder	the Cwt.	0	0	4½
Cassia Lignea	the lb.	0	0	1
Chicory, or other Vegetable Matter applicable to the Uses of Chicory or Coffee, viz.				
——— raw or Kiln-dried, until 10th October 1854 inclusive,	the Cwt.	0	4	0
from and after 10th October 1854		Free.		
——— roasted or ground	the lb.	0	0	4
China Ware, or Porcelain, painted or plain, gilt or ornamented	the Cwt.	0	10	0
Cinnamon	the lb.	0	0	2
Clocks, viz.				
——— not exceeding the value of 5*s.* each	the Dozen	0	4	0
——— exceeding the Value of 5*s.* and not exceeding the Value of 12*s.* 6*d.* each	the Dozen	0	8	0
——— exceeding the Value of 12*s.* 6*d.*, and not exceeding the Value of 3*l.* each	each	0	2	0
——— exceeding the Value of 3*l.* and not exceeding the Value of 10*l.* each	each	0	4	0
——— exceeding the Value of 10*l.* each	each	0	10	0
Cloves	the lb.	0	0	2
Coculus Indicus	the Cwt.	0	5	0
Coffee, roasted or ground	the lb.	0	0	4
Comfits, dry, until 5th July 1854 inclusive	the lb.	0	0	2
——— from and after 5th July 1854	the lb.	0	0	1½
Confectionery, until 5th July 1854 inclusive	the lb.	0	0	2
——— from and after 5th July 1854	the lb.	0	0	1½
Copper, Manufactures of, not otherwise enumerated or described, and Copper Plates, engraved	the Cwt.	0	10	0
Corks, ready made	the lb.	0	0	6
——— squared for rounding	the Cwt.	0	8	0
Dates	the Cwt.	0	10	0
Dice	the Pair	1	1	0
Earthenware not otherwise enumerated or described	the Cwt.	0	10	0
Feathers, dressed, viz. :—				
——— Ostrich	the lb.	0	3	0
——— Paddy Bird	the lb.	0	3	0
——— not otherwise enumerated or described	the lb.	0	3	0
Flowers, Artificial, not made of Silk, per Cubic Foot as packed, no Allowance for vacant Spaces	the Cubic Foot	0	12	0
——— wholly or in part made of Silk	the Cubic Foot	0	12	0
Fruit, raw, not otherwise enumerated	the Bushel	0	0	2
Ginger, preserved, until 5th July 1854 inclusive	the lb.	0	0	2
——— from and after 5th July 1854	the lb.	0	0	1½

Customs Duties.

	£	s.	d.
Glass, viz.			
——— any Kind of Window Glass, White or stained of One Colour only, (except Plate or Rolled Glass,) and Shades and Cylinders, until the 5th April 1855 inclusive - - - - the Cwt.	0	2	6
——— from and after 5th April 1855 until 5th April 1857 inclusive - - - - - the Cwt.	0	1	6
——— from and after 5th April 1857 - - -	Free.		
——— all Flint Cut Glass, Flint coloured Glass, and fancy ornamental Glass, of whatever Kind - the Cwt.	0	10	0
Grapes - - - - the Bushel	0	0	2
Hair Articles; Manufactures of Hair or Goats Wool, or of Hair or Goats Wool and any other Material, wholly or in part made up, not particularly enumerated or otherwise charged with Duty - - - - - for every 100*l.* Value	5	0	0
Hats or Bonnets, viz.			
——— of Chip - - - - the lb.	0	2	6
——— of Bast, Cane, or Horse-hair - - the lb.	0	2	6
——— of Straw - - - - - the lb.	0	2	6
——— of Felt, Hair, Wool, or Beaver - - each	0	1	0
Hats of Silk or Silk Shag laid upon Felt, Linen, or other Material - - - - - - each	0	1	0
Iron and Steel, wrought or manufactured, viz.			
——— Machinery, wrought Castings, Tools, Cutlery, and other Manufactures of Iron or Steel not enumerated the Cwt.	0	2	6
——— fancy ornamental Articles of Iron - - the Cwt.	0	15	0
——— ——— of Steel - - the Cwt.	0	15	0
Jewels, Emeralds, and all other precious Stones, set for every 100*l.* Value	10	0	0
Lead, Manufactures of, not otherwise enumerated - the Cwt.	0	2	0
Leather, viz., Boot Backs - - - the Dozen Pairs	0	1	6
——— cut into Shapes - - - - - the Cwt.	0	10	0
Liquorice Paste (not of British Possessions) - - the Cwt.	1	0	0
——— Powder (not of British Possessions) - - the Cwt.	1	0	0
——— Root, until 5th April 1857, inclusive - the Cwt.	0	5	0
——— from and after 5th April 1857 - - -	Free.		
Maccaroni - - - - the Cwt.	0	1	0
Mace - - - - - - the lb.	0	1	0
Marmalade, until 5th July 1854 inclusive - - the lb.	0	0	2
——— from and after 5th July 1854 - - the lb.	0	0	1½
Medlars - - - - - the Bushel	0	0	2
Musical Instruments, viz.			
——— Musical Boxes, small, not exceeding Four Inches in length - - - - - the Air	0	0	3
——— ——— large - - - the Air	0	0	8
——— ——— Overtures, or extra Accompaniments the Air	0	2	6
——— Piano Fortes, horizontal grand - - - each	3	0	0
——— ——— upright or square - - each	2	0	0

Customs Duties.

	£	s.	d.
Musical Harmoniums or Seraphines, not exceeding Three Stops each	0	12	0
——— ——— Four Stops, and not exceeding Seven Stops - each	1	4	0
——— ——— Eight Stops, and not exceeding Eleven Stops - each	1	10	0
——— ——— exceeding Eleven Stops, each	2	0	0
——— Accordions, commonly called Chinese - the 100 Notes	0	1	0
——— ——— other Sorts, including Flutinas and common German square Concertinas, the 100 Notes	0	5	0
——— Concertina of Octagon Form, not common German, each	0	4	0
——— brass Instruments, all Sorts - - the lb.	0	0	9
——— Musical Instruments, not otherwise enumerated or described - - - for every 100*l.* Value	10	0	0
Mustard Flour - - - - - the Cwt.	0	1	6
Nutmegs, except those commonly called wild - - the lb.	0	1	0
Nux Vomica - - - - - the Cwt.	0	2	0
Oil, viz.			
—— Almond - - - - - - the lb.	0	0	1
—— Bays - - - - - the lb.	0	0	1
—— Essential Oil of Cloves - - - - the lb.	0	1	0
Onions - - - - - the Bushel	0	0	1
Pears, raw - - - - - the Bushel	0	0	3
——— dried - - - - the Bushel	0	1	0
Percussion Caps - - - - the 1,000	0	0	1
Perfumery, not otherwise enumerated, and scented or fancy Soap - - - - - - the lb.	0	0	2
Pewter, Manufactures of, not otherwise enumerated the Cwt.	0	2	0
Pickles preserved in Vinegar - - - the Gallon	0	0	1
Pimento - - - - - the Cwt.	0	5	0
Plate of Gold - - - - the oz. Troy	1	1	0
—— of Silver, gilt or ungilt - - - the oz. Troy	0	1	8
Platting, or other Manufactures of Straw, Chip, or other Materials to be used in or proper for making or ornamenting Hats or Bonnets, not otherwise enumerated or charged with Duty - - the lb.	0	2	0
——— Cordonet, single, and Twist of Straw or of other Materials - - - - the lb.	0	0	6
——— Willow Squares - - - the Dozen	0	0	1
Plums, commonly called French Plums and Prunellos, the Cwt.	0	15	0
——— dried or preserved (except in Sugar), not otherwise described - - - - the Cwt.	0	15	0
——— preserved in Sugar, until 5th July 1854 inclusive, the lb.	0	0	2
From and after 5th July 1854 - - the lb.	0	0	1½
Pomatum - - - - - - the lb.	0	0	2
Potato Flour - - - - - the Cwt.	0	0	4½
Powder, viz.			
——— Hair Powder - - - - the lb.	0	0	2
——— Perfumed - - - - - the lb.	0	0	2

Customs Duties.

		£	s.	d.
Powder not otherwise enumerated or described that will serve the same Purpose as Starch	the Cwt.	0	0	4½
Prints and Drawings, plain or coloured, single	the lb.	0	0	3
——— bound or sewn	the lb.	0	0	3
——— admitted under Treaties of International Copyright, single	the lb.	0	0	1½
——— bound or sewn	the lb.	0	0	1½
Quassia	the Cwt.	0	1	0
Quinces	the Bushel	0	0	3
Rice, not rough, nor in the Husk	the Cwt.	0	0	4½
—— Rough, and in the Husk	the Quarter	0	0	9
Sago	the Cwt.	0	0	4½
Scaleboard	the Cwt.	0	1	0
Semolina	the Cwt.	0	0	4½
Ships, Foreign Ships, to be broken up, with their Tackle, Apparel and Furniture (except Sails), for every 100*l.* Value		5	0	0
broken up	for every 100*l.* Value	5	0	0
Spa Ware	the Cubic Foot	0	0	6
Spelter or Zinc, Manufactures of, not otherwise enumerated	the Cwt.	0	2	0
Spirits, Cordials, or Strong Waters, not being the Produce of any British Possession in America, nor of any British Possession within the Limits of the East India Company's Charter, in regard to which the Conditions of the Act 4 Vict. Cap. 8. have or shall have been fulfilled, sweetened or mixed with any Article so that the Degree of Strength cannot be exactly ascertained by Sykes's Hydrometer, and perfumed Spirits to be used as Perfumery only	the Gallon	1	0	0
Starch	the Cwt.	0	0	4½
——— Gum of, torrified or calcined	the Cwt.	0	0	4½
Succades, including all Fruits and Vegetables preserved in Sugar, until the 5th July 1854 inclusive	the lb.	0	0	2
From and after 5th July 1854	the lb.	0	0	1½
Tapioca	the Cwt.	0	0	4½
Tin Foil	the Cwt.	0	10	0
Manufactures of Tin, and not otherwise enumerated,	the Cwt.	0	10	0
Toys, viz.				
—— Marbles	the Cwt.	0	1	0
—— all other Toys	the Cubic Foot	0	0	4
Turnery, not otherwise described	the Cubic Foot	0	0	4
Varnish, containing any Quantity of Alcohol or Spirit	the Gallon	0	12	0
Vermicelli	the Cwt.	0	1	0
Vinegar	the Gallon	0	0	3
Washing Balls	the lb.	0	0	2
Water, Cologne Water, the Flask (Thirty of such Flasks containing not more than One Gallon)	each	0	0	8
——— When not in Flasks (as perfumed Spirits)	the Gallon	1	0	0

Customs Duties.

VI. In lieu of the present *ad valorem* Rates of Duties of Customs charged upon the Importation into the United Kingdom of the under-mentioned Articles as not being enumerated in the Tariff, the following Duties of Customs shall be charged thereon on and after the Fourth Day of *June* One thousand eight hundred and fifty-three; viz.

In lieu of present ad valorem Duties on Articles under mentioned, the following shall be charged on and after June 4, 1853.

		£	s.	d.
Biscuit and Bread	the Cwt.	0	0	4½
Caoutchouc or Indian Rubber, Manufactures of	the lb.	0	0	4
Coral Negligées	the lb.	0	1	0
Daguerreotype Plates	the lb.	0	0	3
Fig Cake	the Cwt.	0	15	0
Gutta Percha, Manufactures of, not moulded, such as Bands, Sheets, Soles, Tubing	the Cwt.	0	5	0
——— Articles moulded	the lb.	0	0	2
Lucifers of Wood in Boxes containing not more than 100 Matches	the Gross of Boxes	0	0	2
——— in Boxes containing more than 100 Matches	the Gross of Boxes	0	0	3
——— Vesta of Wax, in Boxes not exceeding 1,000 Matches	the Dozen Boxes	0	0	6
——— in Boxes exceeding 1,000 Matches,	the 1,000 Matches	0	0	0½
Mandioca Flour	the Cwt.	0	0	4½
Manna Croup	the Cwt.	0	0	4½
Mustard, mixed or manufactured, except Flour	the Cwt.	0	5	0
Oil Cloth, for Table Covers	the Square Yard	0	0	1
Salacine	the oz.	0	0	3
Sauces, not otherwise enumerated	the lb.	0	0	1
Soy	the Gallon	0	0	6
Sterine, till the 5th of April 1858, unless the Duty upon Tallow shall be repealed at an earlier Time, in which Case this Duty shall then cease	the Cwt.	0	3	6
After the 5th of April 1858		Free.		
Veneers	the Cwt.	0	1	0

VII. In lieu of the Duties of Customs now chargeable on the Article under mentioned imported into the United Kingdom, the following Duties shall be charged on and after the Eighth Day of *June* One thousand eight hundred and fifty-three; viz.

In lieu of Duties charged on a certain Article, the following shall be charged on and after June 8, 1853;

Eggs not of British Possessions	the 120	0	0	4

VIII. In lieu of the Duties of Customs now chargeable on the Articles under mentioned imported into the United Kingdom, the following Duties shall be charged on and after the Twelfth Day of *July* One thousand eight hundred and fifty-three; viz.

on certain other Articles the following Duties to be charged on and after June 12, 1853;

Soap, not being scented or fancy; viz.

——— Hard	the Cwt.	0	0	8
——— Soft	the Cwt.	0	0	8
——— Naples	the Cwt.	0	0	8

Customs Duties.

and on certain other Articles the following Duties to be charged on and after June 11, 1853.

IX. In lieu of the Duties of Customs now chargeable on the Articles under mentioned imported into the United Kingdom, the following Duties shall be charged on and after the Eleventh Day of *June* One thousand eight hundred and fifty-three; viz.

	£	s.	d.
Oranges and Lemons - - - - the Bushel	0	0	8
Books, being of Editions printed in or since the Year 1801, bound or unbound - - - the Cwt.	1	10	0
——— admitted under Treaties of International Copyright, or if of and from a British Possession - the Cwt.	0	15	0
Cherries, raw - - - - - the Bushel	0	0	2
——— dried, until 5th July 1854 inclusive - - the lb.	0	0	2
——— ditto, from and after 5th July 1854 - - the lb.	0	0	1½
Cotton Manufactures, viz.			
——— Fringe - - - - - the lb.	0	0	2
——— Gloves, of Cotton or Thread - the dozen Pairs	0	0	3
——— Stockings, of Cotton or Thread - the dozen Pairs	0	0	6
——— Socks, or half Hose of Cotton or Thread, the dozen Pairs	0	0	3
——— Articles or Manufactures of Cotton, wholly or in part made up, not otherwise charged with Duty for every 100*l.* Value	5	0	0
Embroidery and Needlework, viz.:—			
——— Silk Net, figured with the Needle, being Imitation Lace, and Articles thereof - - the lb.	0	10	0
——— Cotton Net, figured with the Needle, being Imitation Lace, and Articles thereof - - - the lb.	0	8	0
——— Curtains, commonly called Swiss, embroidered on Muslin or Net - - - - the lb.	0	1	0
——— All other Embroidery not enumerated for every 100*l.* Value	10	0	0
——— of and from British Possessions for every 100*l.* Value	5	0	0
Lace and Articles thereof, viz.			
——— Mohair or Worsted - - - the lb.	0	1	0
——— Thread or Cotton Pillow Lace (not being Brussels Point or Saxon Bone Lace), not exceeding One Inch in Width - - - - the lb.	1	0	0
——— Thread or Cotton Pillow Lace (not being Brussels Point or Saxon Bone Lace), exceeding One Inch in Width - - - - the lb.	2	0	0
——— Silk Lace, Pillow and Application, not being Saxon Wire Ground Lace - - - the lb.	1	10	0
——— Silk Saxon Wire Ground Lace, and all Lace known as Maltese - - - - the lb.	0	8	0
——— Brussels Point, and other Lace made by the Hand, not otherwise charged with Duty, for every 100*l.* Value	10	0	0
Linen, or Linen and Cotton Manufactures; viz.			
——— Cambric Handkerchiefs, hemmed or hemstitched, not trimmed - - - - - the Doz.	0	2	6

Customs Duties.

	£	s.	d.
Linen, or Linen and Cotton Manufactures — *continued.*			
——— Stays - - - - the Dozen Pairs	0	4	0
——— Articles, Manufactures of Linen, or of Linen mixed with Cotton or with Wool, wholly or in part made up, not particularly enumerated or otherwise charged with Duty - - - for every 100*l.* Value	5	0	0
Mill Boards - - - - - the lb.	0	0	2½
Paper, viz.			
——— Brown Paper made of old Rope or Cordage only, without separating or extracting the Pitch or Tar therefrom, and without any Mixture of other Materials therewith - - - - the lb.	0	0	2½
——— Printed, painted, or stained Paper or Paper-hangings, or Flock Paper - - the Square Yard	0	0	1
——— Waste Paper, or Paper of any other Sort not particularly enumerated or described, not otherwise charged with Duty - - - - the lb.	0	0	2½
Pasteboard - - - - - - the lb.	0	0	2½
Silk Manufactures, being			
——— Velvet, the Produce of Europe, plain or figured:			
—— Broad Stuffs - - - the lb.	0	9	0
——— the Foundation of which is wholly composed of Cotton, or other Materials than Silk - - - the lb.	0	3	0
——— —— Ribbons of Velvet, or Silk embossed with Velvet - - - the lb.	0	10	0
——— the Foundation of which is wholly composed of Cotton, or other Materials than Silk - - - the lb.	0	3	6
——— Manufactures of Silk, or of Silk mixed with any other Materials, the Produce of Europe, called Plush, the lb.	0	3	0
—— Black Plush, commonly used for making Hats, the lb.	0	1	0
——— Parasols and Umbrellas - - - each	0	1	0
——— Damask of Silk and Wool or other Materials, for Furniture - - - - the lb.	0	0	10
—— China - - - the running Yard	0	0	8
——— Corahs, Choppahs, Bandannas, and Tussore Cloths; viz.			
in Pieces not exceeding 5¼ Yards in Length, the Piece	0	0	4
exceeding 5¼ and not exceeding 6¼ Yards, the Piece	0	0	6
6¼ and not exceeding 7¼ Yards, the Piece	0	0	8
7¼ and not exceeding 8¼ Yards, the Piece	0	0	9
8¼ and not exceeding 9¼ Yards, the Piece	0	0	10
and for every additional Yard in Length - the Yard	0	0	1½
——— China Crape Shawls, plain and damask - the lb.	0	3	0
——— ——— embroidered - - the lb.	0	5	0

Customs Duties.

	£	s.	d.
Silk—*continued.*			
—— Pongees, in Pieces not exceeding 15 Yards in Length the Piece	0	2	0
exceeding 15 Yards and not exceeding 21 Yards in Length - - - - the Piece	0	3	0
exceeding 21 Yards and not exceeding 31 Yards in Length - - - - the Piece	0	5	0
—— Handkerchiefs, plain and figured, in Pieces not exceeding 9 Yards in Length - - - the Piece	0	1	6
exceeding 9 Yards and not exceeding 18 Yards in Length - - - - the Piece	0	3	0
Watches, of Gold, Silver, or any other Metal, exceeding the Value of 10*l.* each - - - - - each	1	0	0
—— other Watches, viz.			
—— Gold, open Faces - - - each	0	5	0
—— Hunters - - - - each	0	7	6
—— Repeaters - - - each	0	15	0
—— Silver, or any other Metal not Gold:			
—— open Faces - - - each	0	2	6
—— Hunters - - - each	0	3	6
—— Repeaters - - - - each	0	8	0
Woollens, Articles or Manufactures of Wool (not being Goat's Wool) or of Wool mixed with Cotton, viz.			
—— Carpets and Rugs - - the Square Yard	0	0	6
—— Shawls, Scarfs, and Handkerchiefs, plain and not printed - - - - - the lb.	0	0	4
—— Printed - - - - - the lb.	0	0	8
—— Gloves - - - - - the Dozen Pairs	0	0	3
—— Articles or Manufactures of Wool (not being Goat's Wool) or of Wool mixed with Cotton, wholly or in part made up, not otherwise charged with Duty for every 100*l.* Value	5	0	0

In lieu of present ad valorem Duties on Articles under mentioned the following shall be charged on and after June 11, 1853.

X. In lieu of the present *ad valorem* Rates of Duties of Customs charged upon the Importation into the United Kingdom of the undermentioned Articles as not being enumerated in the Tariff, the following Duties of Customs shall be charged thereon on and after the Eleventh Day of *June* One thousand eight hundred and fifty-three; viz.

Paper, gilt, stained, coloured, embossed, and all fancy Kinds, not being Paper-hangings - - - the lb.	0	0	2½

Duties charged on certain Goods to cease on June 23, 1853.

XI. The Duties of Customs chargeable upon the Goods hereafter mentioned, imported into the United Kingdom, shall cease and determine on and after the Twenty-third Day of *June* One thousand eight hundred and fifty-three; viz.

Flock for Paper Stainers.

XII. On

XII. On and after the Fifth Day of *July* One thousand eight hundred and fifty-three so much of an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, Chapter One hundred and one, Section Three, as provides that the Allowance commonly called Draft, then made by the Commissioners of Excise in the weighing of Tea, should be made by the Commissioners of Customs under the Authority of the said Act, shall be and the same is hereby repealed; and the Allowance of One Pound for Draft on each Chest of Tea exceeding Twenty-eight Pounds in Weight now made by the Commissioners of Customs under the Authority of the said Act shall cease and determine upon all Tea which shall arrive and be reported at the Custom House of any Port in the United Kingdom on and after the Fifth Day of *July* One thousand eight hundred and fifty-three.

So much of 3 & 4 W. 4. c. 101. s. 3. as allows certain Draft on weighing Tea repealed.

XIII. The Duties imposed by this Act shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be ascertained, raised, levied, collected, paid, recovered, and allowed, and applied or appropriated, under the Provisions of any Act or Acts now in force or hereafter to be made relating to the Customs.

Duties to be under the Management of Commissioners of Customs.

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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CAP. LV.

An Act to make better Provision for the efficient Discharge of the Duties of the Taxing Officer in and for the Common Law Business in *Ireland*.

[4th *August* 1853.]

WHEREAS by an Act passed in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to regulate the Proceedings in the Civil Side of the Court of King's Bench, and also in the Court of Common Pleas, and in the Pleas or Common Law Side of the Court of Exchequer, in* Ireland, and further, by an Act passed in the Fifth Year of the Reign of His said Majesty King *George* the Fourth, being an Act to amend the said recited Act, an Establishment was formed for (amongst other Purposes) the Taxation of Bills of Costs in Common Law Business in *Ireland*, and by the said first-recited Act it was amongst other things enacted, that it should be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* from Time to Time to appoint Two Officers, who should be and be called Taxing Officers in Common Law Business, who should have Power to tax the several Classes of Costs therein mentioned, and that after the Commencement of the said first-recited Act the several Classes of Costs therein mentioned should not be taxed by any other Officer or Person whomsoever, and it was thereby further enacted, that each of the said Taxing Officers should be entitled to receive out of the Consolidated Fund of the United Kingdom the yearly Sum of One thousand two hundred Pounds (of the then Currency of *Ireland*), to be payable as therein mentioned: And whereas by an Act passed in the Seventh and Eighth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to regulate and reduce the Expenses of the Offices attached to the Superior Courts of Law in* Ireland *payable out of the Consolidated Fund*, it

1 & 2 G. 4. c. 53.

7 & 8 Vict. c. 107.

it was amongst other things enacted, that whenever it should happen that the Two Persons then holding the Office of Taxing Officer to the said Law Courts should vacate the same by Death, Resignation, or Removal, there should thenceforth be for the said Three Courts but One Taxing Officer, who should be and be called Taxing Officer in Common Law Business, and that such Taxing Officer should have the Assistance in his said Business of One Examiner and One Clerk, to be appointed by him during his Pleasure, and that whenever it should happen that a Vacancy should arise in the said Office of Taxing Officer by Death, Resignation, or Removal of One only of the Two Persons then holding such Office, the Person to be appointed Taxing Officer in his Stead under the Provisions of the said herein-before first-recited Act should, notwithstanding anything in the said Act contained, be entitled to receive only the Salary specified for the Taxing Officer in the Schedule (D.) to the said Act annexed, and whenever the other of the Two Persons then holding the Office of Taxing Officer should die, resign, or be removed, the Person who should have been so appointed as joint Taxing Officer in the Room of the Person so first dying, resigning, or being removed should be the sole Taxing Officer, as therein-before directed, with the Assistance of an Examiner and Clerk, who should respectively receive the Salaries specified in the said Schedule to the said Act annexed: And whereas *James Clancy* Esquire, One of the Persons holding the Office of Taxing Officer at the Time of the passing of the said last-recited Act, has vacated the same by Death, and *Henry Colles* Esquire has been appointed Taxing Officer in his Stead: And whereas *William E. Hudson* Esquire, the other of the said Persons holding the said Office of Taxing Officer at the Time of the passing of said last-recited Act, has vacated the same by Death: And whereas it is expedient to make better Provision for the efficient Discharge of the Duties of the said Office: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

Repeal of so much of recited Act as relates to the Taxing Officer in CommonLaw Business.

I. So much of the said herein-before recited Act of the Seventh and Eighth Years of the Reign of Her present Majesty as relates to the said Taxing Officer in Common Law Business, so far as same is inconsistent with the Provisions of this Act, be and the same is hereby repealed.

Appointment of Two Taxing Officers.

II. In place and stead of the Establishment provided by the said recited Act of Seventh and Eighth Years of the Reign of Her present Majesty, from and after the passing of this Act the taxing of Costs in Common Law Business shall be conducted by Two Officers, one to be and be called the "Principal Taxing Officer in Common Law Business," and the other to be and be called the "Assistant Taxing Officer in Common Law Business," each of whom shall hold his Office during his good Behaviour; that the said Principal Officer shall be a Barrister of at least Ten Years standing, or an Attorney

of the Superior Courts of Common Law in *Ireland* who shall have practised as such Attorney in such Courts for Ten Years at least, and that the Assistant Officer shall be an Attorney of not less than Six Years standing; such Officers shall be appointed under this Act by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* from Time to Time as the Taxing Officers for Common Law Business were directed to be appointed by the said recited Act of the First and Second of *George* the Fourth; and *Henry Colles* Esquire shall be the First Principal Taxing Officer under this Act.

Duties of Taxing Officers.

III. The Business to be transacted by such Officers shall be the taxing of all such Costs as are specified in the said recited Act of the First and Second Years of the Reign of King *George* the Fourth, and thereby directed to be taxed by the Taxing Officers for Common Law Business; the Business of the said Office shall be divided between the said Officers as they shall from Time to Time find most expedient, subject, however, to the Approbation of the Lord Chief Justice of Her Majesty's Court of Queen's Bench in *Ireland*, such Distribution and Arrangement to be reduced to Writing, with the Approval thereof by the said Lord Chief Justice under his Hand; and if the said Officers shall not agree to such Distribution or Arrangement, it shall and may be lawful for the Lord Chief Justice, by an Order under his Hand, to direct in what Manner and Proportion such Business shall be divided between and transacted by the said Two Officers; and in all and every Case where any Party or Person is dissatisfied or feels himself aggrieved by the Decision of the Assistant Taxing Officer, it shall and may be lawful for such Party or Person, before the Bill of Costs shall be certified, to bring the Item, Question, or other Matter by way of Appeal from the Decision of the Assistant Officer before the Principal Officer, who shall with all convenient Despatch dispose of the Item, Question, or other Matter so brought before him on such Appeal.

Taxing Officers to have the same Powers and be subject to the same Regulations as Taxing Officers created under recited Acts.

IV. The said Two Officers appointed or to be appointed under the Provisions of this Act shall have the same Power and Authority, and be subject to the same Regulations as to Duties and Attendance, as are given and contained with reference to Taxing Officers in and by the said herein-before recited Acts of the First and Second Years of the Reign of King *George* the Fourth and of the Seventh and Eighth Years of the Reign of Her Majesty Queen *Victoria*; and all and every the Provisions, Powers, Authorities, and Directions contained in the said recited Acts or either of them, with reference to the Taxing Officers created thereby, so far as the same shall be consistent with the Alterations hereby effected, shall be and be deemed applicable to the Taxing Officers appointed or to be appointed under this Act, and to the Taxation of Costs by them or either of them, and all Matters and Proceedings belonging to or connected with the Business thereof.

Appointment of Clerk.

V. The said Taxing Officers shall have the Assistance in their said Business of One Clerk, for the Purpose of issuing of Summonses, Entries of Costs, and keeping the Books and Records of their said Offices,

Offices, to be appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being during his or their Pleasure.

Salaries.

VI. The said Principal Taxing Officer, Assistant Taxing Officer, and Clerk shall be entitled to receive respectively (out of the same Fund and at the same Periods as the Salaries in and by the said recited Acts directed to be paid to the Taxing Officers in Common Law) the Salaries set forth in the Schedule A. to this Act annexed, which shall grow due from Day to Day.

Superannuations.

VII. The said Principal Taxing Officer, Assistant Taxing Officer, and Clerk shall be entitled respectively to receive, with the Approbation of the Commissioners of Her Majesty's Treasury, as and for Superannuation or Retiring Allowances, Sums not exceeding the following Proportions with reference to the Amount of their Salaries and the Period of their Services respectively; *videlicet*,

For Ten Years Service and under Fifteen Years, One Fourth of the Salary fixed by the Schedule A. to this Act annexed:

For Fifteen Years Service and under Twenty Years, One Third of such Salary:

For Twenty Years Service and under Twenty-five Years, One Half of such Salary:

For Twenty-five Years Service and under Thirty Years, Two Thirds of such Salary:

And the same shall be paid and payable out of the same Fund and at the same Periods respectively as the Salaries herein-before provided for the said several Officers and Clerk respectively, and the same shall grow due from Day to Day; and in ascertaining the Number of Years to entitle such Clerk to receive such Superannuation Allowances, the Period during which he may have discharged Duties of a similar Nature in the said Taxing Office previous to the passing of this Act shall be reckoned for the Purpose of making up such Period of Twenty Years Service.

SCHEDULE A.

	Yearly Salary.
Principal Taxing Officer - - -	£1,000
Assistant Taxing Officer - - -	600
Clerk - - - - -	200

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empowered to make such Arrangements for the Sale of the same as are herein-after mentioned: And whereas the said Pensions, or some of them, are by virtue of the Deeds or Instruments granting or creating the same made payable on different Feast Days and other Days throughout the Year, and it is desirable that in future the whole of the said Pensions should become due and payable on Two certain Days of Payment only in each Year: And whereas the said Pensions or yearly Sums have been heretofore paid subject to Deductions on account of Land Tax and certain accustomed Fees, and it has been the Custom to pay such Pensions on the Tenth of *October* annually: And whereas it is expedient that such other Provisions in regard to the Management of the said Hereditary Possessions and Land Revenues of the Crown should be made as are herein-after contained: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Recipients of Pensions not exceeding 10*l.* per Annum may, with the Consent of the Ecclesiastical Commissioners, sell the same to the Crown.

I. Any Bishop, Rector, Vicar, or other Ecclesiastical Person or Collegiate Body for the Time being in the Receipt of any of the said Pensions which does not exceed the annual Sum of Ten Pounds may, with the Consent of the Ecclesiastical Commissioners for *England*, and of the Patron of any Living or Preferment in respect of which the same is payable, sell and convey, or enter into any Agreement with the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, for the Sale and Conveyance to Her Majesty, Her Heirs and Successors, of the same Pension, for such Price and subject to such Stipulations and Conditions as may be agreed upon; provided that in any Case when the Purchase Money shall exceed the Sum of One hundred Pounds the Purchase shall not be completed without the previous Authority of the Lord High Treasurer or the Commissioners of Her Majesty's Treasury, to be signified by some Warrant under his or their Hand or Hands.

On Payment of Purchase Money to the Ecclesiastical Commissioners, and Conveyance being made, Pension purchased to be extinguished.

II. The Purchase Money to be paid for any of the said Pensions shall be paid by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues to the Ecclesiastical Commissioners for *England*, whose Receipt shall be a sufficient Discharge for the same, and on such Payment being made, and on the Execution by the Person for the Time being entitled to the Receipt of the Pension purchased of a Surrender or Conveyance to Her Majesty, Her Heirs or Successors, such Pension shall cease and be extinguished, and the said Hereditary Possessions and Land Revenues of the Crown shall be wholly and for ever freed and discharged therefrom: Provided always, that the Receipt of the Ecclesiastical Commissioners under their Corporate Seal for any such Purchase Money shall be sufficient Evidence of such Purchase

Purchase Money having been paid to them, and of the Sale having been made with their Consent: Provided also, that when any such Deed of Surrender or Conveyance or Receipt shall have been enrolled, either by the Deposit of a Duplicate thereof or otherwise, in the Office of Land Revenue Records and Enrolments, the same Deed or Receipt, or an authenticated Copy of the Enrolment thereof, shall be admissible in Evidence, without Proof of the Execution of such Deed or Receipt, and the Enrolment of such Deed shall also be conclusive Evidence that the Provisions of this Act have been complied with.

Application of Purchase Money.

III. The Ecclesiastical Commissioners shall, at their Discretion, apply the Purchase Money to be paid to them on any such Sale as aforesaid in any One or more of the following Modes; (namely,) in the Purchase of Three Pounds *per Centum* Consolidated Annuities or Three Pounds *per Centum* Reduced Annuities, or in the Purchase of Land of Freehold Tenure to be annexed or conveyed or otherwise appropriated to or for the Purposes of the Living, Preferment, or Collegiate Body in respect of or to which the Pension was payable previously to the Purchase thereof, or in the Purchase or Redemption of any existing Charges, Incumbrances on or Outgoings from the same Living or Preferment or the Property of such Collegiate Body, or in the substantial or permanent Improvement of the Parsonage House or Glebe Land or other Buildings or Land annexed or belonging to or appropriated for the Use of any such Living, Preferment, or Collegiate Body: Provided also, that the Dividends or Interest on any such Stock and the Rents and Profits of any Land which may be so purchased as aforesaid shall belong and be paid to the Person or Persons or Collegiate Body who or which for the Time being would have been entitled to receive the Pension in case the same had not been extinguished: Provided also, that if in any Case the Purchase Money shall be laid out in the Purchase or Redemption of any such Charge, Incumbrance, or other Outgoing as aforesaid, the same shall not be kept on Foot, but shall be released or extinguished.

Pensions to become due and payable on 5th April and 10th October in each Year.

IV. From and after the Tenth Day of *October* One thousand eight hundred and fifty-three, the several Pensions or yearly Sums charged upon or payable in respect of any Part of the Hereditary Possessions and Land Revenues of the Crown in *England*, *Wales*, or the *Isle of Man* shall from Time to Time respectively become due half-yearly, that is to say, on the Fifth Day of *April* and the Tenth Day of *October* in every Year only; and the Person who on any Fifth Day of *April* or Tenth Day of *October* shall be in possession of the Preferment, Appointment, or Office in respect of which any such Pension is payable shall be entitled to receive the whole net Amount of One Half Year's Pension, after making all lawful Deductions, notwithstanding he may not have been in the Enjoyment of such Preferment, Appointment,

Appointment, or Office during the whole of such Half Year, and his Predecessor, or the Representatives of his Predecessor, shall not be entitled to any apportioned Part of the same Half Year's Pension; and no Person to whom any half-yearly Payment of any such Pension as aforesaid shall fall due, or would, if this Act had not passed, have fallen due on any Day after the said Tenth Day of *October* One thousand eight hundred and fifty-three, and before the Fifth Day of *April* One thousand eight hundred and fifty-four, shall be entitled to receive on the said Fifth Day of *April* or at any other Time more than One Half Year's Amount of such Pension.

Provision for the Settlement of disputed Claims.

V. The Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, may, with the Consent of Her Majesty, Her Heirs and Successors, to be signified in Writing under the Royal Sign Manual, and of the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, to be signified by Warrant under his or their Hand or Hands, make such Arrangements as may be from Time to Time considered expedient for the Adjustment or Settlement of any doubtful or disputed Rights or Claims of the Crown in or to any Real or Personal Property or any Forestal Right, the Management or Control whereof would, if such Rights or Claims were established in favour of the Crown, be vested in or devolve upon the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and in making any such Arrangement it shall be lawful for the same Commissioners or either of them (with such Consents as aforesaid) either to give up or relinquish the Rights or Claims of the Crown to any Portion or Portions of any such Real or Personal Property or Forestal Right, or to accept on behalf of Her Majesty any Lands, Tenements, or Hereditaments, or any Sum or Sums of Money, in lieu and satisfaction of such Rights or Claims generally; and it shall also be lawful for the Commissioners of Her Majesty's Woods, Forests, and Land Revenues or either of them (with the like Consents) to enter into any Agreement for the Payment from Time to Time to any Person or Persons of any Rents or other Profits to be derived from, or any Purchase Monies to be received on account of the Sale of, any such Real or Personal Property or Forestal Right as aforesaid, or any Portion thereof respectively; and any Person claiming to be entitled in possession, either for Life or for any greater Estate, and either at Law or in Equity, to the Rents and Profits or the Interest or Income or the Use and Enjoyment of any such Real or Personal Property or Forestal Right as aforesaid may enter into any Agreement with either of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues for any of the Purposes aforesaid; and when any Deed, Agreement, or Writing effecting or purporting to effect any such Arrangement as aforesaid shall have been enrolled in the Office of Land

Land Revenue Records and Enrolments, the same shall be binding and conclusive on all Parties in anywise interested or claiming to be interested, and such Enrolment shall be sufficient Evidence of the Arrangement purported to be effected by any such Deed or Writing, being authorized by this Act and of the Provisions of this Act, having been complied with. When it shall be made to appear to the Lord High Treasurer or the Commissioners of Her Majesty's Treasury that any Debt or Sum or Sums of Money due or claimed to be due either to the Capital or to the Income of the Hereditary Land Revenues of the Crown under the Management or Control of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues is or are irrecoverable, either in whole or in part, or that it is inexpedient to take Proceedings for the Recovery of the same or of any Part thereof, it shall be lawful for the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, from Time to Time, by any Order under his or their Hand or Hands, to direct that such Debt or Sum or Sums of Money shall, either in whole or in part, be released or discharged, either absolutely or subject to such Conditions as may be thought expedient; and any such Order shall, when enrolled in the Office of Land Revenue Records and Enrolments, either by the Deposit of a Duplicate thereof or otherwise, if the same shall relate to the Hereditary Possessions and Land Revenues of the Crown in *England* and *Wales*, or if the same shall relate to the Hereditary Possessions and Land Revenues of the Crown in *Ireland* when the same shall be enrolled in pursuance of the Provisions to that Effect contained in an Act passed in the Session of Parliament held in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, Chapter Fifty, be binding and conclusive: Provided always, that no Debt, Sum or Sums of Money, due to the Capital of the Land Revenue of the Crown, shall be released or discharged without the Consent of Her Majesty, Her Heirs or Successors, to be from Time to Time signified in Writing under the Royal Sign Manual; provided also, that when any Proceedings at Law or in Equity shall have been commenced by Her Majesty's Attorney General for *England* or *Ireland*, as the Case may be, for the Purpose of establishing the Title of Her Majesty to or recovering any such Real or Personal Property or Forestal Right, or such Debt or Sum of Money, as aforesaid, or when any Petition of Right shall have been presented to Her Majesty or Her Heirs or Successors touching or concerning any Real or Personal Property or Forestal Right of or to which Her Majesty, Her Heirs or Successors, may claim to be seised or entitled, any Arrangement for the Settlement of the Matter in difference, or any such Discharge as aforesaid, shall be subject to the Approval of the Attorney General for the Time being of *England* or *Ireland*, as the Case may be.

Deeds enrolled in Land Revenue Record Office not to require Enrolment in Courts of Law, &c.

VI. And whereas, under the Provisions of the Act passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, Chapter One hundred and twenty-one, and of the Act passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, Chapter One, any Deed, whereby any Lands or Hereditaments may be mortgaged, purchased, sold, exchanged, leased, or demised, under the Authority of the first-mentioned Act, is, when enrolled in the Office of the Land Revenue Records and Enrolments, and entered in the Office of the Commissioners of Woods, Forests, and Land Revenues, as good and available as if the same had been enrolled in any of the Courts at *Westminster*, or as if a Memorial had been registered in the Office appointed for registering Deeds; and it is expedient that the Provisions of the other Acts of Parliament relating to the Enrolment of Deeds affecting the Hereditary Possessions and Land Revenues of the Crown should in manner and as far as herein-after mentioned be assimilated to the Provisions of the said Acts, Chapter One hundred and twenty-one and Chapter One: Be it therefore enacted, That any Deed, Instrument, or Writing to which either of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or the Commissioners of Her Majesty's Works and Public Buildings, or either of them, is a Party, or which is signed by either of them the said Commissioners, or which may in any Manner affect or relate to any Part of the Hereditary Possessions and Land Revenues of the Crown, or any other Lands, Tenements, or Hereditaments for the Time being under the Management or Control of the same Commissioners or either of them, situate or being in *England* or *Wales*, shall, when enrolled in the Office of Land Revenue Records and Enrolments, without any Enrolment or Acknowledgment thereof in any Court or Courts of Law or Equity, and without any Registration thereof, be as good and available and of the like Force and Effect, in all respects, and to all Intents and Purposes, as if the same had been or was enrolled in any of Her Majesty's Courts at *Westminster*, or as if a Memorial had been entered or registered in the Office appointed for registering Deeds in the County or Counties in which the same Possessions, Land Revenues, Lands, Tenements, or Hereditaments, or any of them, are situate, any Act, Law, Practice, or Usage to the contrary in anywise notwithstanding.

Form of Conveyance of W. H. White's Fee-farm Rents.

VII. And whereas, under and by virtue of the Fourteenth, Fifteenth, Sixteenth, and Nineteenth Sections of the Act of Parliament passed in the Session of Parliament held in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, Chapter Ninety-seven, and divers subsequent Acts of Parliament, the Parts still remaining unsold of certain Rents heretofore Crown Rents, Chief Rents, Fee Farm and Quit Rents, and other Rents, formerly the Property of *William Henry White*, deceased, in the said Act of the Fifty-

Fifty-seventh Year of King *George* the Third more particularly mentioned, are now vested in the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, in trust to sell and dispose thereof in manner in the said Act of the Fifty-seventh Year of King *George* the Third directed: And whereas it is considered expedient that the Course of Proceeding in regard to the Sale of the said Rents, and the Form of Conveyance thereof, should be respectively assimilated to the Course of Proceeding and Form of Conveyance of other Fee Farm or other dry or unimprovable Rents under the Management or Control of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and for that Purpose that the said Rents formerly the Property of the said *William Henry White* should be vested in Her Majesty, Her Heirs and Successors, and be from Time to Time managed and sold by the said Commissioners in like Manner as such other Rents as aforesaid: Be it therefore enacted, That from and after the passing of this Act all such and such Parts of all the Rents which were formerly Crown Rents, Chief Rents, Fee Farm Quit Rents, and other Rents, formerly the Property of the said *William Henry White*, remaining unsold, which by virtue of the Enactment herein-before recited or referred to are now vested or expressed to be vested in the Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the Time being, shall henceforth become and be vested in Her Majesty, Her Heirs and Successors, as if the same were Part of the Hereditary Possessions and Land Revenues of the Crown under the Management or Control of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and shall be from Time to Time recoverable, dealt with, and be subject to be sold in like Manner and by the same Forms of Proceeding and Conveyance generally as other Parts of the said Possessions and Land Revenues under the Management or Control of the same Commissioners or either of them: Provided always, that if any Surplus shall remain from the Sale of the said Rents after the Debt in the said Act of the Fifty-seventh Year of King *George* the Third mentioned to be due from the said *William Henry White* to the Crown shall be fully satisfied and discharged, such Surplus shall be paid over to the Heirs or Assigns of the said *William Henry White*.

VIII. That this Act shall not extend to *Scotland*.

Act not to extend to Scotland.

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VICTORIÆ REGINÆ.

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Commutations or Enfranchisements in consideration of Surrender of limited Interests confirmed.

II. No Commutation or Enfranchisement by any Ecclesiastical Corporation Sole or Aggregate already made or purporting to be made under the Copyhold Acts or any of them, or to be made in pursuance of any Agreement already approved of by the Copyhold Commissioners, shall be impeached by reason of the Consideration or Part of the Consideration for the same having been or being a Surrender of any Lands held for a Life or Lives or Years without Right of Renewal, or for any terminable or limited Estate or Interest.

Enfranchisements that may be effected under other Acts may also be effected under Copyhold Acts.

III. All Lands, except as herein-after excepted, which are capable of Enfranchisement by the Exercise of any Powers contained in any other Act of Parliament, or which may be otherwise enfranchised irrespectively of the Copyhold Acts, shall also be capable of being enfranchised under the Powers and Provisions of the Copyhold Acts, and by the sole Authority of those Powers and Provisions, and without any other Consent or Authority than such as is required by the Provisions of the same Acts: Provided always, that Lands held for a Life or Lives or for Years of any Manor belonging either in possession or reversion to any Ecclesiastical Corporation, where the Tenant of such Lands hath not a Right of Renewal, shall not hereafter be dealt with under the Copyhold Acts, except in the Cases herein-after particularly mentioned.

Application of Consideration Money in Cases where Enfranchisement might have been effected under the 14 & 15 Vict. c. 104.

IV. Whenever Proceedings which have been or shall be commenced under the Provisions of the Copyhold Acts for the Enfranchisement of any Lands shall terminate in Enfranchisement, and it shall appear to the Copyhold Commissioners that the Enfranchisement was One which might have been effected under the Provisions of the said Act of the Fourteenth and Fifteenth of Her Majesty, the Monies or Rentcharges which form the Consideration of such Enfranchisement shall be paid and applied to the same Account and in the same Manner as if such Enfranchisement had been effected under the said Act of the Fourteenth and Fifteenth Years of Her Majesty, and all the Provisions of the said last-mentioned Act which affect the Application of Enfranchisement Monies under that Act shall be applicable to such Enfranchisements as aforesaid made under the Provisions of the Copyhold Acts, and the Church Estates Commissioners and Ecclesiastical Commissioners shall respectively have the same Powers over such Consideration Monies, or the Interest accruing thereon, or upon Land, Rentcharges, or Securities acquired in respect thereof, and also over or against any Ecclesiastical Corporation interested therein, as such Commissioners respectively would have had if such Enfranchisement had been effected with the Consent of the said Church Estates Commissioners, and under the Provisions of the said Act of the Fourteenth and Fifteenth of Her Majesty; and where the Consideration Money for any such Enfranchisement has been paid into the Bank of *England* to the Credit of the Accountant General of the Court of Chancery *ex parte* the Copyhold Commission, and has not been invested, the said Accountant General shall, upon the Order of the Court of Chancery to be made upon a Petition to be presented to the said Court by the said Ecclesiastical Commissioners,

Commissioners, cause such Money to be paid or transferred to such Account in the Bank of *England* as the said Church Estates Commissioners shall in each Case appoint: Provided always, that it shall be lawful for the said Court to order that all the Costs and Expenses incurred in the obtaining of such Order shall be paid out of such Money previous to its Payment or Transfer to the Account appointed by the said Church Estates Commissioners, and in case of various Funds being included in the said Order to direct the Distribution of such Costs amongst the several Funds in such Manner as the said Court shall think fit.

Trustees appointed by Commissioners to have all such Powers as if within the Scope of Sect. 14. of 6 & 7 Vict. c. 23.

V. And whereas in Cases of Enfranchisement by Ecclesiastical Corporations effected or purporting to be effected under the Copyhold Acts the Monies paid for Enfranchisement for the Lords Rights have been paid into the Hands of Trustees nominated under the Hands and Seal of the Copyhold Commissioners, to be applied by the said Trustees, with the Consent of the said Commissioners, in the Manner directed and specified in the said Copyhold Acts of and concerning any Money to be paid for enfranchising under the said Acts into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery: Be it enacted, That in all Cases where Trustees have been so appointed by the said Commissioners, such Appointments shall be deemed to be and the same are hereby declared to be valid and effectual, and within the Scope and Intent of the Fourteenth Section of the Act of the Sixth and Seventh Years of Her Majesty, Chapter Twenty-three, and such Trustees are hereby declared to have and to have had all such Powers and Liabilities, and all Acts done by such Trustees, and all Consents and Confirmations by the Copyhold Commissioners in relation to the Acts of such Trustees, shall be and are declared to have been as valid and effectual, as in the Case of other Trustees nominated according to the Scope and Intent of the said Section of the said last-mentioned Act.

Trustees appointed by Copyhold Commissioners to transfer the Funds to Ecclesiastical Commissioners.

VI. Provided always, That in all Cases wherein Trustees have been so appointed by the said Copyhold Commissioners, and shall stand possessed of Monies paid for Enfranchisement of Lands subject to Manorial or other Rights of Ecclesiastical Corporations, or of Land or Securities in respect thereof, the Copyhold Commissioners shall, by an Order under their Hands and Seal, direct such Trustees to pay over the Monies of which they may so stand possessed, or to convey such Land or transfer such Securities, to the Ecclesiastical Commissioners for *England*, who are hereby required to accept the same, and to apply such Monies, Land, or Securities respectively, and the Land or Securities to be purchased with such Money respectively, in the Manner directed and specified in the Copyhold Acts of and concerning any Money to be paid for enfranchising under the said Acts into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery.

Liability of Trustees to cease.

VII. When such Trustees shall have paid over, conveyed, or transferred to the Ecclesiastical Commissioners in pursuance of this Act

Act the whole of the Monies, Land, or Securities of which they may so stand possessed as aforesaid, their Liabilities as such Trustees in respect of any such Monies, Land, or Securities shall cease and determine, and the Expenses of all such Payments, Conveyances, or Transfers shall be paid by the Ecclesiastical Commissioners out of any Monies that may come into their Possession in respect of the Money, Land, or Securities so to be paid over, conveyed, or transferred.

Pending Proceedings to be completed.

VIII. All Agreements for the Enfranchisement of Lands held of any Ecclesiastical Corporation for a Life or Lives or for Years, where the Tenants thereof have not a Right of Renewal, which have been entered into with the Consent of the Copyhold Commissioners before the passing of this Act, shall be valid and effectual, and such Enfranchisements shall be capable of being completed under the Copyhold Acts, notwithstanding the Proviso herein-before contained, but the Money to be paid for such Enfranchisements shall be paid and applied in the Manner herein-before particularly mentioned; and a Recital in the Instrument of Enfranchisement or an Endorsement thereon, under the Seal of the Copyhold Commissioners, that the Agreement for such Enfranchisement was entered into, with such Consent as aforesaid, before the passing of this Act, shall be conclusive Evidence thereof.

Recital or Endorsement to be Evidence.

Ecclesiastical Commissioners to give Memorandum of Payment, Conveyance, or Transfer.

IX. In all Cases where any Trustees as aforesaid shall have paid over, conveyed, or transferred any Monies, Land, or Securities to the Ecclesiastical Commissioners in pursuance of any Order under the Hands and Seal of the Copyhold Commissioners, or when any Money shall be paid to the Ecclesiastical Commissioners for Enfranchisements, the Proceedings in respect of which were commenced before the passing of this Act, the Ecclesiastical Commissioners shall, at the Request of the Copyhold Commissioners, deliver to the Copyhold Commissioners a Memorandum of the Payment of the Monies or the Conveyance of the Land, or the Transfer of the Securities, as the Case may be, and such Memorandum shall be Evidence of the Fact of such Payment, Conveyance, or Transfer.

Memorandum to be Evidence.

Costs how to be settled.

X. That in all Cases of Enfranchisement under the Copyhold Acts all Costs properly payable by any Persons interested in the Enfranchisement of any Land shall be settled and ascertained by the Commissioners or Assistant Commissioners (pursuant to the Provisions of the Act passed in the Fifteenth and Sixteenth Years of Her present Majesty); and that no Costs or Expenses shall be recoverable from any Person whomsoever of or relating to or by reason of any Enfranchisement, until the same shall have been certified under the Hands and Seal of the said Commissioners or of an Assistant Commissioner to have been reasonably and properly incurred.

Act to be Part of Copyhold Acts.

XI. This Act shall be taken and construed as Part of the recited Copyhold Acts.

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CAP. LVIII.

An Act to authorize the Appointment of Barristers for the Purpose of effecting a complete annual Revision of Lists and Registry of Voters for the City of *Dublin*, and to remove Doubts as to the Rate Books for the Purposes of such Registry.

[4th *August* 1853.]

WHEREAS by an Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, Chapter Eighty-eight, the Chairman of Sessions for the County of *Dublin* was authorized and empowered to register Voters for *Dublin* City, and it was thereby enacted, that it might be lawful for him to discharge the Duties of all Registries subsequent to the First by Deputy, qualified and approved of as therein mentioned, whose Acts were to be of the same Efficacy as if done by the said Chairman, and who was to be remunerated in manner therein mentioned: And whereas by another Act passed in the Session of Parliament holden in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, Chapter Sixty-nine, the said Chairman and his Deputy having Jurisdiction under the said recited Act for the Registry of Voters were and each of

2 & 3 W. 4. c. 88.
13 & 14 Vict. c. 69.

of them was authorized and empowered to hold a Court for the Purposes of the new Registration and the annual Revision of the Lists therein particularly specified, which Court was to be held at the Times and during the Periods therein specified, and for such Services the said Chairman and the Deputy so appointed by him as aforesaid were to be remunerated as in the said last-mentioned Act specified: And whereas *Conway E. Dobbs*, Esq., Barrister-at-Law, was appointed such Deputy of the said Chairman, for the Purpose of discharging the Duties imposed on the said Chairman by the said Acts: And whereas by reason of the great Numbers of Persons claiming to be registered in and for the said City of *Dublin* it is expedient to empower the said Chairman of Sessions for the County of *Dublin* to appoint additional Deputies: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Appointment of Barristers to discharge Duties imposed on Chairman of Sessions of the County of Dublin.

I. For the Purpose of having henceforward a complete annual Revision and Registration of the Parliamentary Voters for the City of *Dublin*, it shall and may be lawful for the said Chairman of Sessions of the County of *Dublin*, with the Consent of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and he is hereby authorized and required, by Warrant under his Hand, to nominate and appoint any Number of Barristers of the *Irish* Bar, not exceeding Three, of Six Years standing at the least, to be in the Place and Stead of the said Chairman of Sessions of the County of *Dublin*, in order, by Subdivision between them, to discharge the Duties imposed on the said Chairman by the said recited Acts; and the Barristers so appointed for the said City shall attend at the same Place, but shall sit apart from each other, and hold separate Courts at the same Time, for the Despatch of Business, such Courts to be Courts of Record, and to be held for and during such Period in each Year as may be limited and prescribed in such Warrant of Appointment.

Barristers to have the same Powers, &c. as the said Chairman.

II. All the Powers, Duties, Rights, and Privileges given and imposed by the said Acts or either of them to or upon the said Chairman and his Deputy, or to the Court which they were authorized to hold, are and shall be by virtue of such Warrant given to and imposed upon such Substitutes and the Courts they are respectively by this Act authorized to hold, save only the Power of appointing any Deputy under them or any of them; and all Acts to be done by such Substitutes, or any or either of them, shall be of the same Efficacy in Law as if done by the said Chairman upon whom such Duties would have otherwise devolved under the said Acts, or by

by his Deputy duly appointed; and each of such Substitutes shall receive in the same Manner the same Amount of Remuneration in all respects as the Deputy of such Chairman duly appointed under the said Acts would have been entitled to receive.

Barristers to revise Register of Parliamentary Voters for the City of Dublin.

III. The Register which shall be so annually made, revised, and corrected by the Substitutes so to be appointed as aforesaid shall be so made, revised, and corrected between the Eighth Day of *September* inclusive and the Twenty-fifth Day of *October* inclusive in each Year, and shall be the true and only annual Register for the Time being of Parliamentary Voters for the City of *Dublin*; subject only to such Appeal as is provided for by the said recited Act of the Thirteenth and Fourteenth Years of the Reign of Her present Majesty.

Short Titles.

IV. The Barristers so to be appointed as aforesaid shall be called by the Name of "Revising Barristers;" and that in citing this Act in any Instrument, Document, Pleading, Proceeding, or Act of Parliament it shall be sufficient Designation to use the Expression "The *Dublin* Parliamentary Revising Act (1853)."

Removal of Doubts respecting Rate Books.

V. And whereas Doubts have arisen as to whether the Books of the Collectors General of Rates in the City of *Dublin*, or the Books of the Boards of Guardians of the North and South *Dublin* Unions of the said City, are the Rate Books contemplated by the said Act of the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, and it is expedient to remove such Doubts: Be it therefore enacted, That the Books of the said Collector General of Rates shall be deemed and taken to be the Rate Books contemplated by the said last-mentioned Act as regards all Portions of the City comprehended within the Municipal District of the said City, and that the Tender or Payment of the Poor's Rate by the said Act directed to be made, and the Notice of Claim to be rated, in like Manner directed to be served upon the said Guardians, shall, in respect of any Property situated within the Municipal District of the said City, in future be made to and served upon the said Collector General of Taxes, either in Person or through the Clerk in the public Office of the said Collector General, in manner as directed by the said Act.

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CAP. LIX.

An Act to repeal certain Stamp Duties, and to grant others in lieu thereof, to amend the Laws relating to Stamp Duties, and to make perpetual certain Stamp Duties in *Ireland*.

[4th *August* 1853.]

WHEREAS it is expedient to repeal the Stamp Duties now payable in respect of the several Instruments, Matters, and Things mentioned or described in the Schedule to this Act annexed, and to impose other Stamp Duties in lieu thereof; and it is also expedient to amend the Laws relating to the Stamp Duties: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Stamp Duties on Instruments in the Schedule annexed repealed, and others granted in lieu.

I. From and after the Tenth Day of *October* One thousand eight hundred and fifty-three the several Stamp Duties now payable in *Great Britain* and *Ireland* respectively, under or by virtue of any Act or Acts of Parliament for or in respect of the several Instruments, Matters, and Things mentioned or described (otherwise than by way of Exception) in the Schedule to this Act annexed, and whereon other Duties are by this Act granted, shall respectively cease and determine, and shall be and the same

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are hereby repealed; and in lieu and instead thereof there shall be granted, raised, levied, collected, and paid in and throughout the United Kingdom of *Great Britain* and *Ireland*, to and to the Use of Her Majesty, Her Heirs and Successors, for and in respect of the several Instruments, Matters, and Things described or mentioned in the said Schedule, or for or in respect of the Vellum, Parchment, or Paper upon which any of them respectively shall be written, the several Duties or Sums of Money set down in Figures against the same respectively, or otherwise specified and set forth in the said Schedule, which said Schedule, and the several Provisions, Regulations, Directions, and Exemptions therein contained with respect to the said Duties, and the Instruments, Matters, and Things charged therewith or exempted therefrom shall be deemed and taken to be Part of this Act, and shall be applied, observed, and put in execution accordingly: Provided always, that nothing herein contained shall extend to repeal or alter any of the said Stamp Duties now payable in relation to any Deed or Instrument which shall have been signed or executed by any Party thereto, or which shall bear Date before or upon the Tenth Day of *October* One thousand eight hundred and fifty-three.

The new Duties to be denominated Stamp Duties, and to be under the Care of the Commissioners of Inland Revenue.

Powers and Provisions of former Acts to be in force.

II. The said Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all the Powers, Provisions, Clauses, Regulations, Directions, Allowances, and Exemptions, Fines, Forfeitures, Pains, and Penalties contained in or imposed by any Act or Acts, or any Schedule thereto relating to any Duties of the same Kind or Description heretofore payable in *Great Britain* and *Ireland* respectively, and in force at the Time of the passing of this Act, shall respectively be in full Force and Effect with respect to the Duties by this Act granted, and to the Vellum, Parchment, and Paper, Instruments, Matters, and Things charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be applicable in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, so far as the same shall not be superseded by, and shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the said Duties by this Act granted.

Stamps denoting the

III. The Duties of One Penny by this Act granted on Receipts and on Drafts or Orders for the Payment of Money respectively may be

be denoted either by a Stamp impressed upon the Paper whereon any such Instrument is written or by an adhesive Stamp affixed thereto, and the Commissioners of Inland Revenue shall provide Stamps of both Descriptions for the Purpose of denoting the said Duties.

Duty of One Penny on Receipts and Drafts may be impressed or affixed.

IV. In any Case where an adhesive Stamp shall be used for the Purpose aforesaid on any Receipt or upon any Draft or Order respectively chargeable with the Duty of One Penny by this Act, the Person by whom such Receipt shall be given or such Draft or Order signed or made shall, before the Instrument shall be delivered out of his Hands, Custody, or Power, cancel or obliterate the Stamp so used, by writing thereon his Name or the Initial Letters of his Name so and in such a Manner as to show clearly and distinctly that such Stamp has been made use of, and so that the same may not be again used; and if any Person who shall write or give any such Receipt or Discharge or make or sign any such Draft or Order with any adhesive Stamp thereon, shall not *bonâ fide* in manner aforesaid effectually cancel or obliterate such Stamp, he shall forfeit the Sum of Ten Pounds.

Where adhesive Stamps are used to denote the Duties on Receipts, Drafts, or Orders, the Stamps to be cancelled by writing the Name on it.

V. If any Person shall fraudulently get off or remove, or cause or procure to be gotten off or removed, from any Paper whereon any Receipt or any Draft or Order shall be written, any adhesive Stamp, or if any Person shall affix or use any such Stamp which shall have been gotten off or removed from any Paper whereon any Receipt or any Draft or Order shall have been written, to or for any Receipt, Draft, or Order, or any Paper whereon any such Receipt, Draft, or Order shall be or be intended to be written; or if any Person shall do or practise or be concerned in any fraudulent Act, Contrivance, or Device whatever, not specially provided for by this or some other Act of Parliament, with Intent or Design to defraud Her Majesty, Her Heirs or Successors, of any Duty by this Act granted upon Receipts or upon Drafts or Orders, every Person so offending in any of the said several Cases shall forfeit the Sum of Twenty Pounds.

Penalty for committing Frauds in the Use of adhesive Stamps.

VI. For better securing the Stamp Duties by Law chargeable on Policies of Insurance upon Lives, and for preventing Frauds in respect of any such Insurances:

Every Person who shall make or agree to make, or shall receive any Premium or valuable Consideration for making, any Assurance or Insurance upon any Life or Lives, or upon any Event or Contingency relating to or depending upon any Life or Lives, shall, within One Calendar Month after the Payment or giving of any such Premium or Consideration, make out and sign or execute, or cause and procure to be made out and signed or executed upon Vellum, Parchment, or Paper,

In case of any Insurance for Lives, a Stamp Policy to be made out.

Paper, duly stamped, a Policy of such Assurance or Insurance, and have the same ready to be delivered to the Party entitled thereto, and shall upon Demand made by any such Party, or any Agent in that Behalf duly authorized, deliver the same to him, or in default in any of the Cases aforesaid shall forfeit the Sum of Fifty Pounds:

Officers of Insurance Companies to be answerable for Default.

Every Person who at the Time of the Payment or giving of any such Premium or Consideration shall be a Managing Director of or the Secretary to or other principal Officer of any Society or Company receiving any such Premium or Consideration, shall be deemed to be a Person making or agreeing to make such Assurance or Insurance, and shall be subject and liable to the Penalty by this Act imposed for any such Default as aforesaid.

Articles of Clerkship to Attorneys of the County Palatine Courts may be stamped for Admission of the Clerk into Superior Courts on Payment of the additional Duty only.

VII. Whereas by an Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, Chapter One hundred and eighty-four, certain Stamp Duties are imposed on any Articles of Clerkship or Contract whereby any Person shall first become bound to serve as a Clerk in order to his Admission as an Attorney or Solicitor in any Court; that is to say, in order to Admission in any of the Courts at *Westminster*, the Stamp Duty of One hundred and twenty Pounds, and in order to Admission in any of the Courts of the Counties Palatine, the Stamp Duty of Sixty Pounds: And whereas where any Person has become bound and has served as a Clerk under any such Articles or Contract stamped with the said Duty of Sixty Pounds in order to his Admission as an Attorney or Solicitor in any of the Courts of the Counties Palatine, he is capable of being admitted in any of Her Majesty's Courts at *Westminster*, but only upon the Payment of the further Stamp Duty of One hundred and twenty Pounds; and it is expedient to afford Relief in such Cases:

Where any Person shall have become bound as a Clerk in order to his Admission as an Attorney or Solicitor in any of the Courts of the Counties Palatine by Articles or Contract stamped with the said Duty of Sixty Pounds, then upon Payment of such further Sum of Money as with the said Duty of Sixty Pounds will make up the full Stamp Duty which, at the Date of such Articles or Contract, was payable by Law on Articles of Clerkship in order to Admission in any of the Courts at *Westminster*, it shall be lawful for the Commissioners of Inland Revenue and they are hereby required to stamp the said Articles or Contract with a Stamp or Stamps to denote such further Duty, and thereupon such Articles or Contract shall be as valid and effectual for entitling such Person to Admission in any of the Courts at *Westminster* as if the same had been duly stamped with such full Duty in the first instance.

VIII. And

VIII. And whereas by an Act passed in the Forty-eighth Year of the Reign of King *George* the Third, Chapter One hundred and forty-nine, Section Thirty-eight, Persons intromitting with or entering upon the Possession or Management of any Personal or Moveable Estate or Effects in *Scotland* of any Person dying, are required to exhibit a full and true Inventory, duly stamped, to be recorded as in the said Act is provided, of all the Personal or Moveable Estate and Effects of the Deceased already recovered or known to be existing; and if at any subsequent Period a Discovery shall be made of any other Effects belonging to the Deceased, an additional Inventory of the same is in like Manner to be exhibited and recorded; and every such additional Inventory is chargeable by Law with the full *ad valorem* Stamp Duty payable in respect of the total Amount or Value of the Estate and Effects specified therein, and in any such former Inventory; and thereupon the Party exhibiting the same is entitled to receive back the Amount of the Stamp Duty paid on such former Inventory; and it is expedient to prevent the Inconvenience attending the Over-payment of the Stamp Duty in such Cases by charging on any such additional Inventory the deficient Stamp Duty only:

Every such additional Inventory to be made and recorded as aforesaid shall be chargeable only with such Amount of Stamp Duty as, together with the Stamp Duty charged upon any former duly stamped Inventory of the Estate and Effects of the same deceased Person already exhibited and recorded, shall make up the full Amount of Stamp Duty chargeable by Law in respect of the total Amount or Value of all the Estate and Effects of the said deceased specified in the said additional and any such former Inventory.

Additional Inventories in Scotland to be chargeable with additional Duty only.

IX. No Licence granted to any Spiritual Person to perform Divine Service in any Building approved by the Bishop in lieu of any Church or Chapel whilst the same is under Repair or is rebuilding, or in any Building so approved for the Convenience of the Inhabitants of a Parish resident at a Distance from the Church or consecrated Chapel, shall be chargeable with any Stamp Duty.

Licences to perform Divine Service in certain Cases free from Stamp Duty.

X. And whereas by the said Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, it is provided that where any Property is sold and conveyed subject to any Debt or Sum of Money to be afterwards paid by the Purchaser, the same shall be deemed to be Purchase or Consideration Money in respect whereof the said *ad valorem* Duty charged upon the Sale and Conveyance of Property is to be paid: And whereas it has been held and determined that the said *ad valorem* Duty is payable in respect of any such Sum or Debt only where the Purchaser is personally liable or bound,

or undertakes or agrees to pay the same or to indemnify the Vendor against the same; and it is expedient to alter and amend the Law in this respect:

Where Property is sold subject to any Mortgage, the Mortgage Money to be deemed Part of the Purchase Money, whether agreed to be paid by the Purchaser or not.

Where any Lands or other Property shall be sold and conveyed subject to any Mortgage, Wadset, or Bond, or other Debt, or to any gross or entire Sum of Money, such Sum of Money or Debt shall be deemed the Purchase or Consideration Money, or Part of the Purchase or Consideration Money, as the Case may be, in respect whereof the said *ad valorem* Duty shall be paid, notwithstanding the Purchaser shall not be or become personally liable or shall not undertake or agree to pay the same or to indemnify the Vendor or any Person against the same, anything in any Act or otherwise to the contrary notwithstanding.

XI. And whereas it has been adjudged and determined by Law that upon the Sale of Property, where the Consideration expressed in the Conveyance is a Rentcharge or an Annuity made subject to Redemption or Repurchase, *ad valorem* Stamp Duty is chargeable under the Act passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Ninety-seven, only where such Redemption or Repurchase may be enforced at the Option of the Vendor, and it is expedient that such Duty should be chargeable in all Cases where such Rentcharge or Annuity is made redeemable:

13 & 14 Vict. c. 97.

Where Property is sold in consideration of a redeemable Annuity, the Redemption Money to be deemed Purchase Money.

In any Case where Property shall be sold and conveyed in consideration of any Rentcharge or Annuity, or any annual or periodical Payment to be made permanently or for any indefinite Period, so that the total Amount of the Money to be paid for such Property cannot be previously ascertained, which Rentcharge, Annuity, or other Payment shall be made subject to Redemption or Purchase upon Terms and Conditions specified in the Deed or Instrument whereby the Property sold shall be conveyed to or vested in the Purchaser, or any Person by his Direction, the Money or the Consideration mentioned in the said Deed or Instrument as that on Payment or Transfer, Delivery or Satisfaction, of which the said Rentcharge, Annuity, or other Payment shall be redeemed or purchased or repurchased, or shall cease to be payable, shall be deemed to be the Purchase Money or Consideration on the Sale of the said Property so sold and conveyed, and in respect of which last-mentioned Purchase Money or Consideration the *ad valorem* Duty shall be chargeable; and where any such last-mentioned Consideration shall consist wholly or in part of any Stock or Security mentioned in the said Act, the Value thereof shall be ascertained as in such Act is in that Behalf provided; and where any such Annuity, Rentcharge, or other Payment aforesaid shall be made subject to Redemption or Purchase or Repurchase or Discon-

Discontinuance upon Payment or Satisfaction of any Money or Value to be ascertained or calculated in manner provided in the said Deed or Instrument, the Amount of such Money or Value shall, for the Purpose of charging the said *ad valorem* Duty, be ascertained or calculated as in such Deed or Instrument shall be so provided.

XII. And whereas by the said Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Ninety-seven, a Stamp Duty of Five Shillings was granted and imposed upon the Duplicate or Counterpart of any Deed or Instrument chargeable with Stamp Duty (exclusive of progressive Duty) to the Amount of Five Shillings or upwards; and it is provided that in such Case the Duplicate or Counterpart shall not be available unless stamped with a particular Stamp for denoting or testifying the Payment of the full and proper Stamp Duty on the original Deed or Instrument; and it is expedient to dispense with the said particular Stamp on Counterparts of Leases:

Counterparts of Leases no required to be impressed with the denoting Stamp.

Notwithstanding anything contained in the said Act, the Counterpart of any Lease of Lands, Tenements, or Hereditaments, being duly stamped with the said Stamp Duty of Five Shillings, or any higher Stamp Duty (exclusive of progressive Duty), and not being executed or signed by or on the Behalf of any Lessor or Grantor, shall be available as a Counterpart without being stamped with a particular Stamp for denoting or testifying the Payment of the Stamp Duty chargeable on the original Lease.

XIII. And whereas by the said Act of the Thirteenth and Fourteenth Years of Her Majesty, when any Deed or Instrument shall be presented to the Commissioners of Inland Revenue, and the Fee of Ten Shillings shall be paid to them for their Opinion as to the Stamp Duty with which such Deed or Instrument in their Judgment is chargeable, the said Commissioners are required to assess and charge the Stamp Duty on such Deed or Instrument, and, on the same being duly stamped, to impress thereon a particular Stamp to signify and denote that the full Amount of Stamp Duty with which such Deed or Instrument is by Law chargeable has been paid: And whereas the said Commissioners are not authorized to impress a particular Stamp upon any Deed or Instrument not chargeable with any Stamp Duty in order to denote that the same is not so chargeable; and it is expedient that Provision should be made for that Purpose:

Commissioners may adjudge Deeds not liable to Stamp Duty.

It shall be lawful for any Person to present to the said Commissioners any Deed or Instrument, and upon Payment of the Fee of Ten Shillings, as in the said Act is mentioned, to require their Opinion whether or not the same is chargeable with any Stamp Duty, and if the said Commissioners shall be of opinion that such Deed or Instrument is not chargeable with any Stamp Duty, it shall be

be lawful for them and they are hereby required to impress thereon a particular Stamp, to be provided by them for that Purpose, with such Word or Words, or Device or Symbol thereon as they shall think proper in that Behalf, which shall signify and denote that such Deed is not chargeable with any Stamp Duty; and every such Deed or Instrument upon which the said Stamp shall be impressed shall be deemed to be not so chargeable, and shall be receivable in Evidence in all Courts of Law and Equity, notwithstanding any Objection made to the same as being chargeable with Stamp Duty, and not stamped to denote the same: Provided always, that if the said Commissioners shall assess and charge any Stamp Duty upon or in respect of any such Deed or Instrument, and the Party presenting the same and paying such Duty shall declare himself dissatisfied with their Determination, it shall be lawful for him to appeal against the same to Her Majesty's Court of Exchequer, on the Terms and in the Manner in the said Act provided; and the said Court shall hear and determine the Appeal, and decide whether the said Deed or Instrument is chargeable with any, and if any, what Stamp Duty; and if the Court shall be of opinion that the same is not so chargeable, or is chargeable with a less Amount of Duty than shall have been assessed and charged thereon, then the Amount of such Duty or of the Excess (as the Case may be) shall be returned to the Appellant, together with the Sum deposited as in the said Act mentioned; and if the Court shall be of opinion that any further Duty is chargeable on the said Deed or Instrument, such further Duty shall be paid to the said Commissioners, and the Court shall order and enforce the Payment thereof accordingly.

Appeal from the Determination of the Commissioners.

XIV. And whereas it would facilitate the Transfer of the Bonds and Mortgages given by Public Companies under the Provisions of Acts of Parliament as Securities for Money which such Companies are by the said Acts expressly empowered or authorized to borrow, if the Transfers or Assignments of such Bonds or Mortgages were endorsed thereon, and were exempted from Stamp Duty, and it is expedient to grant such Exemption in consideration of a Composition Stamp Duty being paid on such Bonds and Mortgages on the original making and issuing thereof, in lieu of the Stamp Duty with which such Transfers or Assignments would otherwise be chargeable:

Transfers of Bonds and Mortgages of Public Companies exempted from Stamp Duty on Payment of a Composition

Where on the original making and issuing of any such Bond or Mortgage as aforesaid, and before any Transfer or Assignment thereof, the same shall be stamped with an Amount of Stamp Duty equal to Three Times the Amount of the *ad valorem* Stamp Duty chargeable thereon by Law, and over and above the said *ad valorem* Duty, then every Transfer or Assignment thereafter made of such Bond or Mortgage by Endorsement thereon shall be deemed to be exempt

exempt from the Stamp Duty which would otherwise be payable in respect of such Transfer or Assignment: Provided always, that nothing herein contained shall extend to exempt any such Transfer or Assignment from any Stamp Duty to which it may be liable as a Settlement of the Money or Stock secured by such Bond or Mortgage, or any Portion thereof.

XV. And whereas it is desirable to facilitate the Purchase of Stamped Paper, Covers, or Envelopes, and of other Stamps for expressing or denoting the Rates or Duties of Postage (all of which are herein-after designated as Postage Stamps), and for that Purpose to enable certain Persons in the Service of the Post Office to sell Postage Stamps without having any such Licence as the Laws now in force require in that Behalf, and without being subject or liable to any Penalty for carrying about Postage Stamps for Sale:

Persons authorized by Postmaster General may sell Postage Stamps, or carry same about for Sale, without being subject to Penalty.

It shall be lawful for the Postmaster General by Writing under his Hand to authorize and appoint any Person in the Service or Employment of the Post Office to sell Postage Stamps at any particular House or Place to be specified for that Purpose, and also any Messenger or other Person employed in the Delivery of Letters sent by Post to carry about for Sale and to sell at any Place Postage Stamps, and all such Persons shall, during the Period that such Authority and Appointment shall remain in force and unrevoked, without any Licence or any Authority other than last aforesaid, be at liberty to sell at any House or Place to be specified as aforesaid, or if so authorized, to carry about for Sale and sell at any Place, any Postage Stamps, and such Persons respectively shall not be subject or liable to any Penalty or Forfeiture for so doing, anything in any Act or Acts to the contrary notwithstanding.

For preventing the Evasion of the Duties on Playing Cards.

XVI. And whereas by an Act passed in the Ninth Year of the Reign of King *George* the Fourth, Chapter Eighteen, granting Stamp Duties upon Playing Cards made fit for Sale or Use in the United Kingdom, such Duties to be denoted on the Ace of Spades of each Pack of Cards, it is enacted, that no Playing Cards shall be sold as Waste Cards unless a Corner of each Card shall be cut off at least Half an Inch in Depth, and other Provisions are therein contained for securing the said Duties: And whereas Packs or Parcels of Cards fit and intended for Use and Play, but not containing an Ace of Spades duly stamped, are commonly sold under the Pretence of being Waste Cards, each of such Cards having a Corner cut off, whereby the said Duties are evaded; and it is expedient to prevent such Practice:

No Playing Cards, except such as shall be *bonâ fide* spoiled and rendered unfit for Use as Playing Cards in the Process of Manufacture, and which shall have a Corner cut off as in the said last-mentioned Act is provided, nor any Cards commonly called or known as Picture Cards or Court Cards, shall be deemed to be Waste Cards; and no Playing Cards except Waste Cards shall be sold otherwise than in Packs each Pack containing Fifty-two Cards of the Four usual Suits of Thirteen Cards each, including an Ace of Spades duly stamped for denoting the Duty by the said Act granted on a Pack of Cards, and tied up together in manner directed by the said Act; and if any Person shall sell or expose or keep for Sale any Playing Cards, not being a Pack of Cards as aforesaid, and the same not being *bonâ fide* Waste Cards within the Meaning of this Act, he shall for every Pack, Parcel, or separate Quantity of Cards so sold or exposed or kept for Sale forfeit, if he shall not be a licensed Maker of Playing Cards, the Sum of Ten Pounds, and if he shall be such licensed Maker the Sum of Twenty Pounds; and all Cards so sold or exposed or kept for Sale shall be forfeited, and may be seized and taken by any Officer of Inland Revenue, and be disposed of as the Commissioners of Inland Revenue shall direct; provided that if in any Proceeding any Question shall arise whether any Cards are or were *bonâ fide* Waste Cards or not, Proof of the Affirmative thereof shall lie on the Party selling the same or having or keeping the same for Sale.

XVII. And whereas by an Act passed in the Session held in the Seventh and Eighth Years of the Reign of King *George* the Fourth, Chapter Fifty-three, Officers of Excise and Persons employed in the Collection or Management of or accounting for the Revenue of Excise are exempted from serving as Mayor or Sheriff, or in any corporate or parochial or other public Office or Employment, or on any Jury or Inquest, or in the Militia; and it is expedient to extend the same to all other Officers appointed by or under the Commissioners of Inland Revenue:

Exemption of Excise Officers from serving Public Offices extended to Officers of Inland Revenue.

No Officer or Person appointed by the Commissioners of Inland Revenue, or employed by them or under their Authority or Direction in any way relating to any of the Duties under their Care or Management shall, so long as he shall continue in and exercise such last-mentioned Office or Employment, be compelled to serve as Mayor or Sheriff, or in any of the Offices, Employments, or Capacities in the said Act and herein-before in that Behalf mentioned.

Allowance for Receipt Stamps on hand.

XVIII. Where any Person shall be possessed of any Stamps rendered useless by this Act, it shall be lawful for the Commissioners of Inland Revenue, on Application to them or to their proper Officer in that Behalf, at any Time within Six Calendar Months

Months after the Commencement of this Act to cancel and make Allowance for the same, as in the Case of spoiled Stamps, after deducting the Discount by Law granted on the Purchase of Receipt Stamps.

XIX. Provided always, That any Draft or Order drawn upon a Banker for a Sum of Money payable to Order on Demand which shall, when presented for Payment, purport to be endorsed by the Person to whom the same shall be drawn payable, shall be a sufficient Authority to such Banker to pay the Amount of such Draft or Order to the Bearer thereof; and it shall not be incumbent on such Banker to prove that such Endorsement, or any subsequent Endorsement, was made by or under the Direction or Authority of the Person to whom the said Draft or Order was or is made payable either by the Drawer or any Endorser thereof.

Drafts on Bankers payable to Order on Demand sufficient Authority for Payment without Proof of Endorsement.

XX. And whereas by an Act passed in the Session of Parliament held in the Fifth and Sixth Years of Her Majesty's Reign, Chapter Eighty-two, certain Rates and Duties denominated Stamp Duties were granted and made payable in *Ireland* for a limited Term; and by Four several Acts passed respectively in the Eighth, Eleventh, Fourteenth, and Fifteenth Years of Her Majesty's Reign the same Rates and Duties were continued for Four other several and successive Terms, the last of which will expire on the Tenth Day of *October* One thousand eight hundred and fifty-three; and it is expedient to make the said Rates and Duties perpetual:

All the several Sums of Money and Duties and Composition for Duties granted and made payable in *Ireland* by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Eighty-two, and not repealed by any subsequent Act, and also all Duties now payable in lieu or instead of any of the said Duties which may have been so repealed, shall be and the same are hereby continued and made perpetual, and shall be charged, raised, levied, collected, and paid unto and for the Use of Her Majesty, Her Heirs and Successors for ever: The said Act of the Fifth and Sixth Years of Her Majesty, and all and every other Act and Acts now in force in relation to the Duties and Composition for Duties which are continued by this Act, shall severally be continued and remain in full force in all respects in relation to the said Duties and Composition for Duties hereby continued and granted, and all and every the Powers and Authorities, Rules, Regulations, Directions, Penalties, Forfeitures, Clauses, Matters, and Things contained in the said Acts or any of them, and in force as aforesaid, shall severally and respectively be duly observed, practised, applied, and put in execution in relation to the said Duties and Composition for Duties hereby continued

Stamp Duties in Ireland granted by 5 & 6 Vict. c. 82. and continued by 8 & 9 Vict. c. 2. 11 & 12 Vict. c. 9. 14 & 15 Vict. c. 18. 15 & 16 Vict. c. 21. made perpetual.

Acts continued in force.

continued and granted, for the charging, raising, levying, paying, accounting for, and securing of the said Duties and Composition for Duties, and all Arrears thereof, and for the preventing, detecting, and punishing of all Frauds, Forgeries, and other Offences relating thereto, as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Rules, Regulations, Directions, Penalties, Forfeitures, Clauses, Matters, and Things were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties and Composition for Duties hereby granted.

The SCHEDULE referred to by this Act.

	Duty. £	s.	d.
APPRENTICESHIP and CLERKSHIP.—Indenture, or other Instrument or Writing, containing the Covenants, Articles, or Agreements for or relating to the Service of any Apprentice, Clerk, or Servant who shall be put or placed to or with any Master or Mistress, or to or with any new Master or Mistress, either by Assignment, Transfer, or Turn-over, or upon the Death, Absence, or Incapacity of the former Master or Mistress, or otherwise, to learn any Profession, Trade, or Employment whatsoever (except Articles of Clerkship or Apprenticeship to any Attorney, Solicitor, or other Person in order to Admission in any Court, or in any Office in any Court), or any Writing whatever (except as aforesaid) whereby any such Assignment, Transfer, or Turn-over may be effectuated or ascertained;			
Where no Sum of Money or other Matter or Thing shall be paid, given, assigned, or conveyed, or be secured to be paid, given, assigned, or conveyed to or for the Use or Benefit of the Master or Mistress, with or in respect of any Apprentice, Clerk, or Servant - - - - - - -	0	2	6
DEBENTURE or Certificate for entitling any Person to receive any Drawback of any Duty or Duties, or Part of any Duty or Duties of Customs or Excise, or any Bounty payable out of the Revenue of Customs or Excise, for or in respect of any Goods, Wares, or Merchandise exported or shipped to be exported from any Part of the United Kingdom to any Part beyond the Sea;			
Where the Drawback or Bounty to be received shall not exceed Ten Pounds - - - - - - -	0	1	0
Where the same shall exceed Ten Pounds and not exceed Fifty Pounds - - - - - - -	0	2	6
And where the same shall exceed Fifty Pounds - - -	0	5	0
DRAFT or ORDER for the Payment of any Sum of Money to the Bearer or to Order, on Demand - - - - -	0	0	1
And the following Instruments shall be deemed and taken to be Drafts or Orders for the Payment of Money within the Intent and Meaning of this Act, and of any Act or Acts relating to the Stamp Duties on Bills of Exchange, Drafts, or Orders, and shall be chargeable accordingly with the Stamp Duties imposed by this Act or any such Act or Acts; viz.			
All Documents or Writings usually termed Letters of Credit, or whereby any Person to whom any such Document or Writing is or is intended to be delivered or sent shall be entitled, or be intended to be entitled to have Credit with, or in account with, or to draw upon any other Person for, or to receive from such other Person any Sum of Money therein mentioned.			

	Duty. £	s.	d.
EXEMPTIONS from the DUTIES on DRAFTS or ORDERS.			
All Drafts or Orders for the Payment of Money to the Bearer on Demand, drawn upon any Banker or Bankers, now by Law exempt from Stamp Duty.			
All Letters of Credit, whether in Sets or not, sent by Persons in the United Kingdom to Persons abroad authorizing Drafts on the United Kingdom.			
POLICY of ASSURANCE or Insurance, or other Instrument, by whatever Name the same shall be called, whereby any Insurance shall be made upon any Life or Lives, or upon any Event or Contingency relating to or depending upon any Life or Lives;			
Where the Sum insured shall not exceed Five hundred Pounds;			
Then for every Fifty Pounds, and any fractional Part of Fifty Pounds - - - - -	0	0	6
And where it shall exceed Five hundred Pounds, and shall not exceed One thousand Pounds;			
Then for every One hundred Pounds, and any fractional Part of One hundred Pounds - - - -	0	1	0
And where it shall exceed One thousand Pounds;			
Then for every One thousand Pounds, and any fractional Part of One thousand Pounds - - - - -	0	10	0
RECEIPT or DISCHARGE given for or upon the Payment of Money amounting to Two Pounds or upwards - - - -	0	0	1

EXEMPTION.

Receipts given for Money deposited in any Bank, or in the Hands of any Banker, to be accounted for, whether with Interest or not; provided the same be not expressed to be received of or by the Hands of any other than the Person to whom the same is to be accounted for: Provided always, that this Exemption shall not extend to Receipts or Acknowledgments for Sums paid or deposited for or upon Letters of Allotment of Shares or in respect of Calls upon any Scrip or Shares of or in any Joint Stock or other Company or proposed or intended Company, which said last-mentioned Receipts or Acknowledgments, by whomsoever given, shall be liable to the Duty by this Act charged on Receipts.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1853.

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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Magistrate a Salary not exceeding 500*l.* per Annum, but only 20 at One Time to have Salaries exceeding 400*l.*

Aggregate Amount of Salaries not to exceed at any Time the Average of 400*l.*, unless in certain Cases.

fore appointed or hereafter to be appointed under the said recited Act a Salary not exceeding Five hundred Pounds by the Year: Provided always, that not more than Twenty of such Magistrates shall at any One Time be entitled to receive Salaries exceeding the annual Rate of Four hundred Pounds: Provided also, that the aggregate Amount of all the Salaries payable to all the Magistrates for the Time being appointed as aforesaid shall not at any Time exceed the Amount which would have been payable if the annual Salary of every such Magistrate had been Four hundred Pounds, and no more, unless such Excess shall have been caused by the Death, Resignation, or Removal of a Magistrate receiving a less annual Salary than Four hundred Pounds, and by a new Magistrate not having been appointed immediately thereupon.

A Certificate of Diligence and Fidelity to be given by the Chief Secretary, and not by Inspector General, on Superannuation of Magistrates under 10 & 11 Vict. c. 100.

II. And whereas by an Act passed in the Session of Parliament holden in the Tenth and Eleventh Years of Her present Majesty, Chapter One hundred, it is enacted, that it shall be lawful for the Commissioners of Her Majesty's Treasury, upon the Recommendation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, supported by a Certificate from the Inspector General in the said Act named, that the Party had served with Diligence and Fidelity, to order and direct that any Magistrate theretofore appointed should and might be superannuated: And whereas, the Magistrates not being under the Orders or Control of the Inspector General of the Constabulary, he is unable from his official Knowledge to certify their Diligence and Fidelity: Be it therefore enacted, That in every Case of Superannuation of a Magistrate under the said last-recited Act the Certificate that the Party has served with Diligence and Fidelity shall be given by the Chief Secretary of the Lord Lieutenant, and not by the Inspector General of the Constabulary, and such Certificate of the Chief Secretary shall be in all respects conformable to and have the same Force and Effect as any Certificate of the Inspector General to be given under the said last in part recited Act.

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VICTORIÆ REGINÆ.

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Orders, are mentioned in the Schedule to this Act, and such of the said Orders as bear Date in the Year One thousand eight hundred and fifty two were made by the Right Honourable *Spencer Horatio Walpole*, who at the Date thereof was One of Her Majesty's Principal Secretaries of State, and such of the said Orders as bear Date in the Year One thousand eight hundred and fifty-three were made by the Right Honourable Viscount *Palmerston*, who at the Date thereof was One of such Secretaries of State: And whereas it is expedient that the said Provisional Orders should be confirmed, and made absolute: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Provisional Orders are hereby confirmed, and made absolute, and shall be as binding and of the like Force and Effect as if the Provisions thereof had been expressly enacted by Parliament.

Provisional Orders confirmed.

SCHE-

SCHEDULE.

Date of Provisional Order.	TITLE or LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1852.		£ s. d.		
23 Nov.	58 G. 3. c. 42., "An Act for more effectually repairing and improving the Road between Warrington and Lower Irlam in the County Palatine of Lancaster," - - -	12,027 0 0	1*l.* per Cent.	1852. 31 Dec.
23 Nov.	4 G. 4. c. 28., "An Act for more effectually repairing the Road leading from the Turnpike Road near the West End of the Town of Chesterfield to Matlock Bridge, and also the Road leading out of the said Road over Darley Bridge to Cross Green, and also the Road leading out of the last-mentioned Road to the Turnpike Road near Rowesley Bridge, all in the County of Derby," - -	10,967 12 6	1*l.* 10*s.* per Cent.	31 Dec.
23 Nov.	7 & 8 G. 4. c. 71., "An Act for making and maintaining a Road from the Town of Northampton in the County of Northampton to Cold Brayfield in the County of Buckingham,"	4,640 0 0	1*l.* per Cent.	31 Dec.
21 Dec.	4 G. 4. c. 42., "An Act for making and maintaining a Turnpike Road from Horsham in the County of Sussex by Bewbush to the Town of Crawley in the said County," -	5,250 0 0	1*l.* per Cent.	31 Dec.
21 Dec.	6 G. 4. c. 25., "An Act for making and maintaining a Turnpike Road from the present Turnpike Road between Maidstone and Wrotham in the County of Kent to Strood in the said County," - - -	4,745 0 0	2*l.* per Cent.	31 Dec.
1853. 12 Feb.	7 G. 4. c. 77., "An Act for more effectually repairing so much of the Road from Henley Bridge to Maidenhead Thicket as lies between the said Bridge and the Thirtieth Milestone from London in the Parish of Bisham in the County of Berks," - - -	6,402 0 0	1*l.* per Cent.	31 Dec.
12 Feb.	54 G. 3. c. 62., "An Act for making and maintaining a Road from a Place called Lees in the Parish of Bingley, to commence and branch off from the Road leading from Cross Roads Inn to Haworth at the North-east Corner of a certain Close of Land called the Highfield, to Hebden Bridge in the Parish of Halifax, all in the West Riding of the County of York," - - - - -	9,804 0 0	1*l.* 5*s.* per Cent.	1853. 31 Dec.

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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Horses, &c. into Market, or turning them out on uninclosed Land.

Place where Animals are commonly exposed for Sale, knowing such Horse or other Animal to be infected with or labouring under the Disease called Glanders, and any Person turning out, keeping, or depasturing any Horse or other Animal infected with or labouring under any such Disease in or upon any Forest, Chase, Wood, Moor, Marsh, Heath, Common, Waste Land, Open Field, Road Side, or other undivided or uninclosed Land, shall on Conviction of any such Offence forfeit and pay any Sum not exceeding Twenty Pounds; and the said Act shall be read and construed as if this Enactment were incorporated therein, and all the Provisions of the said Act with respect to the Penalties or Forfeitures thereby imposed, and the Recovery and Application thereof, shall be applicable accordingly.

Recited Act continued until 1st Sept. 1856, and End of then Session.

II. The said Act as extended by this Act shall continue and be in force until the First Day of *September* One thousand eight hundred and fifty-six, or if Parliament be then sitting until the End of the then Session of Parliament.

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CAP. LXIII.

An Act to repeal certain Stamp Duties, and to grant others in lieu thereof, to give Relief with respect to the Stamp Duties on Newspapers and Supplements thereto, to repeal the Duty on Advertisements, and otherwise to amend the Laws relating to Stamp Duties.

[4th *August* 1853.]

WHEREAS it is expedient to repeal the Stamp Duties now payable in respect of the several Instruments, Matters, and Things mentioned or described in the Schedule to this Act annexed, and to impose other Stamp Duties in lieu thereof, and also to give Relief with respect to the Stamp Duties on Newspapers and Supplements thereto, and otherwise to amend the Laws relating to Stamp Duties, and to repeal the Duty charged on Advertisements: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From and after the passing of this Act the several Stamp Duties now payable in *Great Britain* and *Ireland* respectively, under or by virtue of any Act or Acts of Parliament for or in respect of the several Instruments, Matters, and Things mentioned or described in the

Stamp Duties on Instruments in the Schedule annexed repealed,

and others granted in lieu thereof.

the Schedule to this Act annexed, and whereon other Duties are by this Act granted, shall respectively cease and determine, and shall be and the same are hereby repealed; and in lieu and instead thereof there shall be granted, raised, levied, collected, and paid in and throughout the United Kingdom of *Great Britain* and *Ireland*, to and to the Use of Her Majesty, Her Heirs and Successors, for and in respect of the several Instruments, Matters, and Things described or mentioned in the said Schedule, or for or in respect of the Vellum, Parchment, or Paper upon which any of them respectively shall be written, the several Duties or Sums of Money set down in Figures against the same respectively, or otherwise specified and set forth in the said Schedule, which said Schedule, and the several Provisions, Regulations, and Directions therein contained with respect to the said Duties, and the Instruments, Matters, and Things charged therewith, shall be deemed and taken to be Part of this Act, and shall be applied, observed, and put in execution accordingly: Provided always, that nothing herein contained shall extend to repeal or alter any of the said Stamp Duties now payable in relation to any Deed or Instrument which shall have been signed or executed by any Party thereto, or which shall bear Date before or upon the passing of this Act.

The new Duties to be denominated Stamp Duties, and to be under the Care of the Commissioners of Inland Revenue.

Powers and Provisions of former Acts to be in force.

II. The said Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all the Powers, Provisions, Clauses, Regulations, Directions, Allowances, and Exemptions, Fines, Forfeitures, Pains, and Penalties contained in or imposed by any Act or Acts, or any Schedule thereto, relating to any Duties of the same Kind or Description heretofore payable in *Great Britain* and *Ireland* respectively, and in force at the Time of the passing of this Act, shall respectively be in full Force and Effect with respect to the Duties by this Act granted, and to the Vellum, Parchment, and Paper, Instruments, Matters, and Things charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be applicable in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, so far as the same shall not be superseded by, and shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the said Duties by this Act granted.

As to Duties on Newspapers and Supplements.

III. No higher Stamp Duty than One Penny shall be chargeable on any Newspaper printed on One Sheet of Paper containing a Superficies

Superficies not exceeding Two thousand two hundred and ninety-five Inches:

A Supplement published with any Newspaper duly stamped with the Duty of One Penny, such Supplement being printed on One Sheet of Paper only, and together with such Newspaper containing in the aggregate a Superficies not exceeding Two thousand two hundred and ninety-five Inches, shall be free from Stamp Duty:

Any other Supplement to any such duly stamped Newspaper shall not be chargeable with any higher Stamp Duty than One Halfpenny, provided it does not contain a Superficies exceeding One thousand one hundred and forty-eight Inches:

And any Two Supplements to any such duly stamped Newspaper shall not be chargeable with any higher Stamp Duty than One Halfpenny on each, provided each of such Supplements be printed and published on One Sheet of Paper only, and that they contain together a Superficies not exceeding in the aggregate Two thousand two hundred and ninety-five Inches:

The Superficies in all the Cases aforesaid to be One Side only of the Sheet of Paper, and exclusive of the Margin of the Letter Press.

Allowance for Newspaper Stamps on hand.

IV. Where any Person shall be possessed of any Stamps for Newspapers rendered useless by this Act, it shall be lawful for the Commissioners of Inland Revenue, on Application to them or to their proper Officer in that Behalf, at any Time within Six Calendar Months after the Commencement of this Act, to cancel and make Allowance for the same, as in the Case of spoiled Stamps.

After passing of this Act all Duties on Advertisements to cease.

V. And whereas it is expedient to repeal the Duties now payable on Advertisements: From and after the passing of this Act the Duties now payable under any Act or Acts in force for or in respect of any Advertisement contained in or published with any Gazette or other Newspaper, or contained in or published with any other periodical Paper, or in or with any Pamphlet or literary Work, and all Enactments, Clauses, Provisions, and Regulations for levying, collecting, and securing the said Duties, but so far only as they relate to such Duties, shall respectively cease and determine, and shall be and the same are hereby repealed, save and except as to any of the said Duties which shall have been charged or incurred on or before the Day of the passing of this Act, and any Arrear thereof, and as to all Fines and Penalties incurred or which may be incurred in respect of the said Duties or Arrears, all which said Duties and Arrears, Fines and Penalties, so excepted as aforesaid, shall respectively be sued for, recovered, levied, paid, and applied in the same Manner as if this Act had not been passed.

Duties on Assignments of Judg-

VI. Whereas it is expedient to remove Doubts which have arisen as to the Stamp Duties chargeable upon Assignments of Judgment in *Ireland;*

ment in Ireland, and Writs of Acknowledgment in Scotland.

Ireland; and it is also expedient to reduce the Stamp Duties now chargeable in *Scotland* upon Writs of Acknowledgment by Persons infeft of Lands in favour of the Heirs or Disponees of Creditors: In lieu of the Stamp Duties now payable upon the Instruments hereinafter mentioned there shall be chargeable (besides any progressive Duties to which the same respectively may be liable by reference to the Head of Progressive Duty in the Schedule to the Act of the Thirteenth and Fourteenth Years of Her present Majesty, Chapter Ninety-seven,) the respective Stamp Duties following; (that is to say,)

For and upon every Assignment of any Judgment in *Ireland*, One Pound Fifteen Shillings:

And for and upon any Writ of Acknowledgment by any Person infeft of Lands in *Scotland* in favour of the Heir or Disponee of a Creditor fully vested in right of an heritable Security constituted by Infeftment, Ten Shillings.

VII. And whereas under and by virtue of certain Acts of Parliament now in force the Governor and Company of the Bank of *Scotland*, and the Royal Bank of *Scotland*, and the *British* Linen Company in *Scotland* are respectively authorized and empowered to make and issue and re-issue their Promissory Notes payable to Bearer on Demand on unstamped Paper, giving Security, and keeping and producing true Accounts of all the Notes so issued by them respectively, and accounting for and paying the Stamp Duties payable in respect of such Notes: And whereas it is expedient to authorize and empower the Commissioners of Her Majesty's Treasury to compound with the said Banks, as well as all Bankers in *Scotland*, for the Stamp Duties on their Promissory Notes payable to Bearer on Demand, as well as for Stamps payable on their Bills of Exchange: It shall be lawful for the Commissioners of Her Majesty's Treasury for the Time being, or any Three of them, and they are hereby authorized and empowered to compound and agree with the said Governor and Company of the Bank of *Scotland*, and the Royal Bank of *Scotland*, and the *British* Linen Company in *Scotland*, and all or any other Bankers in *Scotland*, or elsewhere, respectively, for a Composition in lieu of the Stamp Duties payable on the Promissory Notes of the said Banks and Bankers respectively payable to the Bearer on Demand, as well as for Stamps payable on their Bills of Exchange; and such Composition shall be made on such Terms and Conditions, and with such Security for the Payment of the same, and for keeping, producing, and rendering of such Accounts, as the said last-mentioned Commissioners may deem to be proper in that Behalf; and upon such Composition being entered into by such Banks and Bankers respectively it shall be lawful for them to issue and re-issue all Notes and to draw all such Bills for which such

Power to Treasury to compound with Bankers in Scotland for the Stamp Duties on their Promissory Notes.

such Composition shall have been made on unstamped Paper, anything in any Act contained to the contrary notwithstanding.

VIII. From and after the passing of this Act the following Stamp Duty shall be charged and paid; (that is to say,)

Stamp Duty on Scrip Certificates.

	£	s.	d.
On any Scrip Certificate, that is to say, any Document denoting or intended to denote the Right or Title of the Holder thereof or any Person to any Share or Shares in any Joint Stock or other Company, or proposed or intended Company, or any Certificate declaring or entitling the Holder thereof or any Person to be or become the Proprietor of any Share or Shares of or in any such Company, where such Certificate or the Right or Title to such Share or Shares shall be or be intended to be transferable by the Delivery of such Certificate, or otherwise than by Deed or Instrument in Writing - - -	0	0	1

IX. No Receipt given for any Sum or Sums of Money received for or on account of Land Tax, or the Duties of Assessed Taxes, or the Duties on Profits arising from Property, Professions, Trades, and Offices, by any Collector or Receiver of such Taxes or Duties, or by any Person having Authority to collect or receive the same, shall be subject or liable to any Stamp Duty.

Receipts for Land or Assessed Taxes or Income Tax exempt from Stamp Duty.

X. The Duties granted by an Act of the present Session of Parliament on Policies of Assurance may be denoted either by a Stamp impressed upon the Paper whereon any such Instrument is written, or by an adhesive Stamp affixed thereto, and the Commissioners of Inland Revenue shall provide Stamps of both Descriptions for the Purpose of denoting the said Duties.

Stamps denoting the Duty on Policies of Life Assurance may be impressed or affixed.

XI. The adhesive Stamps to be so provided for the Purpose aforesaid shall be adapted for the Writing of the following Particulars thereon; (that is to say,) the Date and Number of the Policy, and the Names of the Person insured and of One of the Directors of the Assurance Company, or other Person by whom the same shall be signed; and where an adhesive Stamp shall be used or intended to be used for or upon any such Policy, such Stamp shall be firmly and securely affixed and made to adhere to such Policy, and all the several Particulars aforesaid shall be fairly and distinctly written upon such Stamp at or before the Time of the signing thereof by such Director or other Person aforesaid, or in default thereof such Director or other Person signing such Policy shall forfeit the Sum of Fifty Pounds.

Certain Particulars to be written on adhesive Stamps for Policies.

The SCHEDULE referred to by this Act.

	Duty. £	s.	d.
ARTICLES of CLERKSHIP or Contract, whereby any Person shall first become bound to serve as a Clerk in order to his Admission as an Attorney or Solicitor in any of Her Majesty's Courts at Westminster or in Ireland, or in order to his Admission as a Proctor in the High Court of Admiralty in England, or the Court of Admiralty in Ireland, or in any of the Ecclesiastical Courts in Doctors Commons or in Ireland	80	0	0
CERTIFICATE to be taken out yearly by every Person admitted as an Attorney or Solicitor in any of Her Majesty's Courts at Westminster or in Ireland, or in any other Court in England holding Pleas where the Debt or Damage amounts to Forty Shillings; and by every Person admitted as a Writer to the Signet, or as a Solicitor, Agent, Attorney, or Procurator in any of the Courts in Scotland; and by every Person admitted or enrolled as a Notary Public in England, Scotland, or Ireland, who in his own Name or in the Name of any other Person shall commence, prosecute, carry on, or defend any Action, Suit, Prosecution, or other Proceeding in any of the Courts aforesaid, or do any notarial Act whatever, for or in expectation of any Fee, Gain, or Reward, as an Attorney, Solicitor, Agent, Proctor, Procurator, or Notary Public, although not admitted or enrolled as such;			
If he shall reside within the Distance of Ten Miles from the General Post Office in the City of London, or within the City or Shire of Edinburgh, or in the City of Dublin, or within Three Miles thereof;			
And if he shall have been admitted for the Space of Three Years or upwards - - - - -	9	0	0
Or if he shall not have been admitted so long - -	4	10	0
If he shall reside elsewhere, and if he shall have been admitted for the Space of Three Years or upwards - -	6	0	0
Or if he shall not have been admitted so long - -	3	0	0
CERTIFICATE to be taken out yearly by every Person being a Member of One of the Four Inns of Court in England, and by every Person in Ireland who in the Character of Conveyancer, Special Pleader, Draftsman in Equity or otherwise, shall, for or in expectation of any Fee, Gain, or Reward, draw or prepare any Conveyance of or Deed or Instrument relating to any Estate or Property, real or personal, or any other Deed or Contract whatever, or any Pleadings or Proceedings in any Court of Law or Equity;			
If he shall reside within the Distance of Ten Miles from the General Post Office in the City of London, or in the City of Dublin, or within Three Miles thereof - - -	9	0	0
And if he shall reside elsewhere - - - - -	6	0	0

Stamp Duties (No. 2.)

	Duty. £	s.	d.
CONVEYANCE of any Kind or Description whatsoever, in England or Ireland, and Charter Disposition or Contract containing the first original Constitution of Feu and Ground Annual Rights in Scotland (not being a Lease or Tack for Years), in consideration of any annual Sum payable in Perpetuity, or for any indefinite Period, whether Fee Farm or other Rent, Feu Duty, Ground Annual, or otherwise:			
Where the annual Sum thereby reserved, secured, or made payable shall not exceed 20*s.* - - - -	0	2	6
And where the same shall exceed 20*s.* and shall not exceed 12*l.*, then for every 20*s.* or any fractional Part of 20*s.* of such annual Sum - - - - - - - -	0	2	6
And where the same shall exceed 12*l.* and shall not exceed 24*l.*, then for every 40*s.* and for any fractional Part of 40*s.* of such annual Sum - - - - - -	0	5	0
And where the same shall exceed 24*l.*, then for every 4*l.* and for any fractional Part of 4*l.* of such annual Sum - -	0	10	0

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Day of *April* One thousand eight hundred and fifty-three Her Majesty has been pleased, by and with the Advice of Her Privy Council, to approve Recommendations of the Commissioners of the Admiralty for the Encouragement of Men entering the Navy for continuous and general Service, and Regulations have been and may be issued by the said Commissioners of the Admiralty offering increased Rates of Pay and other Advantages to Men entering the Navy for Ten Years continuous and general Service, or re-entering for continuous and general Service for such a Term as with such Time as may be allowed in respect of their previous Service will make up a Term of Ten Years or thereabouts, and for the Benefit of Boys entering Her Majesty's Navy: And whereas it is expedient to make Provision concerning the Service of the Persons who may be entitled to the Benefits of the said Regulations, and to extend the Period of Service of Boys hereafter entering the Navy, and otherwise to amend the Law concerning the Manning and Discipline of the Navy: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions of 5 & 6 W. 4. c. 24. as amended by this Act to extend to Men entering for 10 Years, or any other Term of continuous and general Service.

I. Where, under the Regulations or Directions of the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral, Men willing so to enter or re-enter into the Naval Service of Her Majesty have already been or may hereafter be entered or re-entered for Ten Years continuous and general Service, or entered or re-entered for such other Term of continuous and general Service as under such Regulations or Directions may be authorized, such Men shall be liable to serve accordingly; and all the Provisions of the said Act of the Fifth and Sixth Years of King *William* the Fourth, as amended by this Act, shall extend to every such Man as if the Term for which he has already been or may hereafter be so entered or re-entered were throughout substituted for the Term of Five Years.

Repeal of 10 & 11 Vict c. 30.

Provision as to Boys hereafter entering into the Naval Service of Her Majesty.

II. The said Act of the Tenth and Eleventh Years of Her Majesty shall be repealed; and every Boy hereafter entering when under the Age of Eighteen Years into the Naval Service of Her Majesty shall be entered and liable to serve until he attain the Age of Twenty-eight Years; and every Person who, when of the Age of Eighteen Years or upwards, shall be hereafter entered into such Naval Service as a Boy, shall be entered for Ten Years continuous and general Service from the Time of his entering, and shall be liable to serve accordingly; and the said Act of the Fifth and Sixth Years of King *William* the Fourth, as amended by this Act, shall be applicable to every

every such Boy as if the Term for which he shall be liable to serve were throughout substituted therein for Five Years; and the Statement by any Boy of his Age at the Time of his entering as aforesaid shall, for the Purposes of this Act, be conclusive Evidence of his Age at that Time.

As to Grant of Extra Pay to Men detained after Expiration of Period of Service in Cases of Emergency.

III. So much of the said Act of the Fifth and Sixth Years of King *William* the Fourth as provides that every Person detained in the Service in consequence of any special Emergency after the Expiration of his Period of Service shall be entitled to receive for such extra Service One Fourth in addition to the Pay of his Rating, shall be repealed; and every such Person so detained shall be entitled to receive for such extra Service Twopence a Day in addition to the Pay of his Rating.

Sect. 4. of 5 & 6 W. 4. c. 24. concerning Double Bounty, repealed.

Persons entering the Navy to be entitled to such Bounty as may be fixed by Royal Proclamation, &c.

IV. The Fourth Section of the said Act of the Fifth and Sixth Years of King *William* the Fourth, entitling to Double Bounty Seamen, seafaring Men, and other Persons entering the Navy within the Time and in manner therein mentioned, after the Issue of any Royal Proclamation calling for the Services of seafaring Men, shall be repealed; and all Persons entering or re-entering the Navy after the issuing of any such Proclamation (whether general or restricted as herein-after mentioned,) shall be entitled to such Bounty or respective Bounties according to their Classes, as may be offered by such Proclamation, with such Increase, if any, as Her Majesty may in the Case of all or any such Persons think fit to direct in respect of their entering within such Times or in such Manner as in such Proclamation may be in that Behalf appointed.

Sections 5 and 6 of 5 & 6 W. 4. c. 24. repealed.

V. The Fifth Section of the said Act of the Fifth and Sixth Years of King *William* the Fourth, requiring the Service for a Period of Five Years, in case their Services should be so long required, of the Seamen serving on board the Fleet in case of such Proclamation as therein mentioned, and fixing the Bounty to be paid in consideration of such Service, and the Sixth Section of the said Act, concerning the re-entering of Persons whose Period of Service shall expire when any such Proclamation shall be in force, shall be repealed.

Not to affect Rights of Persons now serving.

VI. Provided always, That nothing herein-before contained shall affect the Rights or Liabilities under the said Acts of the Fifth and Sixth Years of King *William* the Fourth and Tenth and Eleventh Years of Her Majesty incident to or consequent upon the existing Terms

Terms of Service of the Persons now serving in the Navy, except such Persons as may have entered under the Regulations for continuous and general Service, or may have become or may hereafter become entitled to the Benefit of such Regulations.

Proclamation for Seamen may be general or restricted.

VII. Any Proclamation of Her Majesty, Her Heirs or Successors, calling for the Services of seafaring Men, either during the Time of Peace or War, shall, at the Pleasure of Her Majesty, Her Heirs or Successors, apply to all seafaring Men, or be restricted to any particular Class or Classes of seafaring Men, either according to their Ages, the Numbers of their Register Tickets, or otherwise; and every such restricted Proclamation shall be as valid and effectual in Law as any such Proclamation calling for the Services of all seafaring Men, and as to the Men within such Class or Classes shall and may be enforced accordingly.

Register Ticket Evidence of the Age of Seamen.

VIII. When any such restricted Proclamation shall have reference to Ages it shall be incumbent on any seafaring Man claiming in respect of Age not to be within such Proclamation to prove his Age by the Production of his Register Ticket, or other Evidence.

Service of Seamen in the Navy may be extended by Royal Proclamation.

IX. In case Her Majesty, Her Heirs or Successors, shall by Proclamation call upon the Seamen or any Class or Classes of Seamen serving in Her Majesty's Navy, or such of them as may be required so to do, to extend the Term of their Services, any Seaman to whom such Proclamation shall extend, and whose Term of Service shall have expired at the Date of such Proclamation, or may expire while such Proclamation shall continue in force, may be required to serve for a Period of Five Years from the Expiration of such Term, if his Services be so long required, and shall be liable to serve accordingly, and shall for such Extension of Service be entitled to such Bounty as may be given by such Proclamation.

Nothing to diminish Power of the Admiralty to enter Seamen for any Periods and to discharge them.

X. Nothing in this Act contained shall control or diminish the Authority vested in the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral to enter or cause to be entered Seamen and others for Her Majesty's Navy for any Period or Periods of Service for which they may volunteer, and to detain them in such Service accordingly; and nothing in this Act contained shall control or diminish the Authority vested in the said Lord High Admiral or the said Commissioners to discharge, as he or they may think fit, or to authorize the Discharge of any Seaman or other Person whatever from Her Majesty's Naval Service.

XI. So

Entry of Seamen.

XI. So much of the Act of the Eleventh Year of King *George* the Fourth, Chapter Twenty, as provides that no Petty Officers, Seamen, or Marines, (except those wounded in Action with the Enemy,) who shall be discharged from Hospitals or Sick Quarters at home, either to a Ship or from the Service, shall be allowed Wages for more than Thirty Days of the Time they shall remain in such Hospital or Sick Quarters, shall not apply to Petty Officers or Seamen entered for continuous and general Service in the Navy, or to Boys entered under this Act, and any such Petty Officer, Seaman, or Boy who may be sent to any Hospital or Sick Quarters at home shall be allowed his Pay for the whole Time he shall remain in such Hospital or Sick Quarters, subject to such Deduction therefrom, after the Expiration of Thirty Days, as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral may from Time to Time direct, and the Time such Petty Officer, Seaman, or Boy may be in such Hospital or Sick Quarters shall reckon as Part of his Time of Service: Provided that no such Deduction as aforesaid shall be made in any Case where such Petty Officer, Seaman, or Boy would have been entitled to his full Pay, under the said Act.

Men entering for continuous and general Service, and Boys, to be entitled to pay while in Sick Quarters at home, subject to such Deduction after Thirty Days as Admiralty may direct, and Time to be reckoned as Part of his Time of Service.

XII. It shall not be lawful for any Person to bring on board any of Her Majesty's Ships or Vessels any spirituous or fermented Liquor of any Description, without the previous Consent of the Officer commanding the Ship or Vessel on board of which the same may be brought; and it shall be lawful for any Officer in Her Majesty's Service, or Warrant or Petty Officer of the Navy, or Non-commissioned Officer of Marines, with or without Seamen or Persons under his Command, to search any Boat or Vessel hovering about or approaching or which may have hovered about or approached any of Her Majesty's Ships or Vessels, and if any spirituous or fermented Liquor be found on board such Boat or Vessel to seize such spirituous or fermented Liquor, and the same shall be forfeited to Her Majesty; and if any Person shall bring any spirituous or fermented Liquor on board any of Her Majesty's Ships or Vessels without such previous Consent as aforesaid, or shall approach or hover about any of Her Majesty's Ships or Vessels for the Purpose of bringing any spirituous or fermented Liquor on board the same, without such previous Consent, or for the Purpose of giving or selling, without such previous Consent, spirituous or fermented Liquor to Men in Her Majesty's Service, or of aiding or assisting any Officer, Seaman, or Marine in Her Majesty's Service to desert or improperly absent himself from his Ship or Vessel, every such Person shall, upon a summary Conviction thereof before a Justice or Justices of the Peace, forfeit and pay any

Spirituous or fermented Liquors not to be brought on board Her Majesty's Ships without the Commander's Consent.

Penalty on Offenders.

Sum not exceeding Ten Pounds for every such Act or Offence; and it shall be lawful for any Officer in Her Majesty's Service, or any such Warrant or Petty Officer, or Non-commissioned Officer as aforesaid, or for any Constable or Peace Officer, with or without any Warrant or other Process, to apprehend or cause to be apprehended any such Offender or Person so acting, and to bring him or cause him to be brought before any Justice or Justices of the Peace, for the Purpose of having the Offender summarily convicted of the same; and any pecuniary Forfeiture under this Provision shall and may be recovered, with Costs, and paid and applied, in manner provided by the Act of the Session holden in the Tenth and Eleventh Years of Her Majesty, Chapter Sixty-two, concerning Penalties and Forfeitures imposed by that Act.

Men absent for 48 Hours without Leave to forfeit Pay during their Absence.

XIII. Every Officer, Seaman, Marine, or other Person serving in Her Majesty's Navy, who shall wilfully, or by reason of Imprisonment under any Commitment by any Civil Magistrate or other Civil Authority, or under any Civil Process, be absent from his Ship for Forty-eight Hours or upwards, without Leave of his Commanding Officer, shall thereby, if such Commanding Officer so direct, lose and forfeit all Wages, Pay, and other Allowances (any Portion allotted to Wife or Relatives commonly called Allotments only excepted) to which he would have been entitled in respect of his Services during the Period of such his Absence without Leave; and for the Purposes of this Provision any Part of a Day included in the Period of such Absence shall be deemed the whole Day, and the Wages, Pay, and Allowances in respect of such Day shall be forfeited accordingly: Provided always, that nothing herein contained shall be taken to lessen or affect any Liability of such Officer, Seaman, Marine, or other Person as aforesaid for or in respect of Desertion, or otherwise to affect any Provision, Law, or Regulation applicable to Deserters or Persons sentenced by Court-martial.

Power to try or punish Persons guilty of Desertion summarily.

XIV. In any Case of Desertion of a Petty Officer or Seaman, or Non-commissioned Officer of Marines or Marine, from Her Majesty's Navy, or from any One of Her Majesty's Ships, it shall be lawful either to try the Offender by Court-martial, or, instead of so trying him, for any Flag Officer of Her Majesty's Navy on Full Pay, or for the Officer commanding the Ship to which the Deserter may belong, or the Ship to which he may be brought or on the Books of which he may be borne, upon any such Flag Officer or Officer commanding being satisfied of the Identity of the Offender, and of the Offence having been committed, to order the Offender to be imprisoned for any Period not exceeding Six Calendar Months from

from the Date of such Order in any public Prison, Gaol, or House of Correction in any Part of Her Majesty's Dominions, or in any Naval Prison appointed or to be appointed under the Act of the Session holden in the Tenth and Eleventh Years of Her Majesty, Chapter Sixty-two; and such Imprisonment may be with or without Hard Labour, as any such Order shall direct; or in any such Case of Desertion as aforesaid it shall be lawful for any such Flag Officer or Officer commanding to order the Offender to be disrated if a Petty Officer or a Non-commissioned Officer of Marines, or if a Seaman or Marine to be summarily punished, in the same Manner as such Offender would be liable to be punished according to the Custom of the Service for being absent without Leave, without Trial by Court-martial; but when any such Order as aforesaid is not made by the Senior Naval Officer present the same shall not have any Force or Effect until the same shall have been approved of by Writing under the Hand of such Senior Officer; and in all Cases upon the Home Station no such Order when made by any such Officer commanding shall have any Force or Effect until the same shall have been approved of by Writing under the Hand of the Commander-in-Chief under whom the Officer making such Order shall be serving; and all the Provisions of the said Act of the Tenth and Eleventh Years of Her Majesty relating to or concerning Governors, Gaolers, or Keepers of any public Prison, Gaol, or House of Correction, and Officers having Charge of Naval Prisons, receiving and confining Offenders, and to Orders for the Discharge or Removal of Offenders, to the Subsistence of Prisoners, as to Prisoners not being entitled to Pay or Wages, or to reckon Time for Pay, Wages, or Pension, while in Confinement, and as to Penalties which may be incurred by any such Governor, Gaoler, Keeper, or Officer, and as to the Recovery and Application of such Penalties, shall be applicable to all Cases of Offenders imprisoned under or by virtue of any such Order as herein-before provided.

Imprisonment under Sentence of Naval Courts Martial may be either with or without Hard Labour.

XV. In all Cases in which Naval Courts-martial are or may be authorized to adjudge Imprisonment they may adjudge the same with or without Hard Labour, at their Discretion, and with or without any other Punishment which they are competent to award; and the Term of Imprisonment under Sentence of such Courts-martial shall be reckoned as commencing on the Day on which the Sentence was passed.

Persons making fraudulent Representations on entering the Navy to

XVI. Every Person who, upon entering or offering himself to enter the Naval Service of Her Majesty, shall make or give any false Statement, whether orally or in Writing, with Intent to deceive any

be punished as Rogues and Vagabonds under 5 G. 4. c. 83.

any Officer or Person authorized to enter or enlist Seamen or others in or for such Naval Service, shall be deemed a Rogue and Vagabond within the Intent and Meaning of the Act of the Fifth Year of King *George* the Fourth, Chapter Eighty-three, and shall upon Conviction thereof be punished accordingly; and all the Provisions of the said Act, and of any Act amending the same, shall take effect and apply as if a Person so offending as aforesaid had, by the said Act of the Fifth Year of King *George* the Fourth, been declared a Rogue and Vagabond within the true Intent and Meaning of that Act.

Courts-martial may try Offences committed by Persons in full Pay in the Navy in Dockyards or Victualling Yards.

XVII. And whereas under the Act of the Twenty-second Year of King *George* the Second, Chapter Thirty-three, Courts-martial constituted by virtue of that Act have Authority for the Trial and Punishment of Offences committed upon the Main Sea or in great Rivers only beneath the Bridges of the said Rivers nigh to the Sea, or in any Haven, River, or Creek within the Jurisdiction of the Admiralty, by Persons in actual Service and Full Pay in the Fleet or Ships of War of Her Majesty:

Any Court-martial constituted by virtue of the said last-mentioned Act shall have the same Power for the Trial and Punishment of Offences committed in any of Her Majesty's Dockyards or Victualling Yards by such Persons as at the Time of the Offence committed shall be in actual Service and Full Pay in the Fleet or Ships of War of Her Majesty as if such Offences had been committed upon the Main Sea or in any Haven within the Jurisdiction of the Admiralty, and all Persons in actual Service and Full Pay in any of the Ships of War of Her Majesty shall while within any of Her Majesty's Dockyards or Victualling Yards be subject to the same Discipline, Laws, and Customs as if on board such Ships of War of Her Majesty upon the Main Sea or in any such Haven as aforesaid.

Railway Companies to convey Naval Forces upon the same Terms as Military and Police.

XVIII. Whenever it shall be necessary to move any of the Officers or Men in Her Majesty's Navy, or belonging to any Naval Coast Volunteers, or any other Officers or Men under the Command or Government of the Admiralty, every Railway Company shall, upon the Production of a Route or Order for the Conveyance of such Officers or Men, signed by any Officer or Person authorized by the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral in that Behalf, be bound to provide Conveyance for such Officers or Men and their personal Luggage, and also any public Baggage, Stores, Arms, Ammunition, and other Necessaries and Things, by the Railway of such Company, at the usual Hours of starting, in like Manner and at the like Fares and Rates

of

of Charge, and upon the like Conditions, as under the Act of the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter Eighty-five, or any other Act applicable to such Company, such Company would be bound to provide such Conveyance for the Officers and Men of Her Majesty's Forces of the Line, Ordnance Corps, Marines, Militia, and Police Force, and their personal Luggage, and any public Baggage, Stores, Arms, Ammunition, and other Necessaries and Things of the said Forces.

Sect. 8. of 4 & 5 W. 4. c. 25. repealed, and other Provisions made for Payment of Monies to a certain Amount due in the Naval Department to Persons deceased, without requiring Probate or Letters of Administration.

XIX. And whereas by the Eighth Section of the Act of the Session holden in the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-five, Provision is made to facilitate the obtaining by the Relations of Persons deceased of small Sums payable to them in the Naval Department: And whereas it is expedient to make more effectual Provision for that Purpose:

The said Eighth Section of the said Act of the Fourth and Fifth Years of King *William* the Fourth shall be repealed; and where upon the Death (either before or after the passing of this Act) of any Commissioned, Warrant, or Petty Officer, Seaman, Commissioned or Non-commissioned Officer of Royal Marines, or Private Marine, or of any Widow entitled to a Pension on the Establishment of the Navy, or of any Person entitled to an Allowance from the Compassionate Fund, or of any Person having been employed in any of Her Majesty's Dockyards, Naval, Victualling, or Medical Establishments, or in any of the Civil Departments of the Navy, or of any Person entitled to any Prize Money, Bounty, Grant, or other Money in the Nature of Naval Prize, the whole Amount of Monies payable in the Naval Department which may be due to the Deceased shall not exceed the Sum of Fifty Pounds, it shall be lawful for the Inspector of Seamen's Wills in the Admiralty Office, after having satisfied himself by due Investigation of the Right of any Claimant to Probate of the Will (if the Deceased shall have left a Will), or in case of Intestacy to Letters of Administration, to issue a Certificate in Admission of the Claim, which Certificate shall be in such Form as by the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral shall be deemed expedient, and shall, so far as regards any Monies payable in the Naval Department, and not exceeding Fifty Pounds, have the same Force and Effect as a Probate of the Deceased's Will or a Grant of Administration of the Deceased's Effects; and Payment under the Authority of such Certificate of any Monies, not exceeding in the whole the said Sum of Fifty Pounds, due to the Deceased on account of any Naval Pay or Wages, or Pay or Wages of the ordinary or any Marine Pay, or of any Half Pay, Pension, or Prize, or Bounty, Grant, or other

Money in the Nature of Prize, or of any Allowance from the Compassionate Fund, or Monies due on account of the Deceased's Services, or Superannuation Allowances granted on Retirement from any Services in any of Her Majesty's Dockyards, Naval, Victualling, or Medical Establishments, or in any of the Civil Departments of the Navy, or any Department under the Direction of the said Lord High Admiral or Commissioners, shall be valid and conclusive against all Parties as effectually as if the same had been paid under Probate or Letters of Administration.

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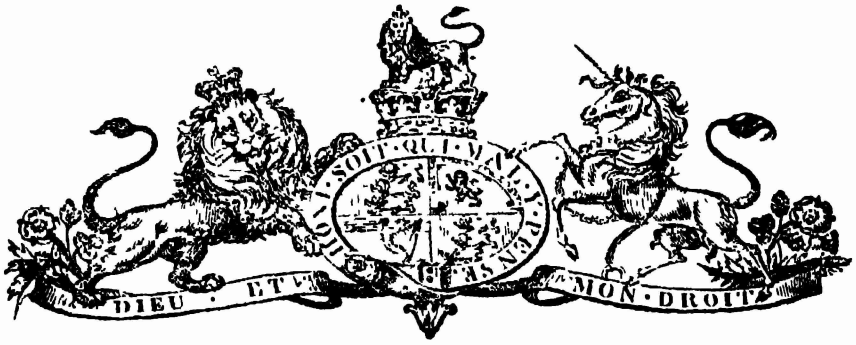

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

but Validity of Proceedings, &c. not to be affected.

Validity of any Proceeding taken or pending under the said Acts or any of them, before or at the Commencement of this Act, or any Appointments, Salaries, Annuities, Compensations, or Allowances made or given by or under the said Acts or any of them, before the Commencement of this Act, shall not be taken away, diminished, or in anywise injuriously affected by the Repeal aforesaid; and no new or further Order, Minute, or Direction whatsoever shall be deemed to be necessary by reason or in consequence of the Repeal aforesaid, respecting any such Appointment, Salary, Annuity, Compensation, or Allowance as aforesaid, except where by this Act any Salary or other Payment is made payable out of a Fund not heretofore chargeable therewith; and all Proceedings respecting the Person or Estate of every Person before the Commencement of this Act, found by Inquisition idiot, lunatic, or of unsound Mind, and incapable of managing himself or his Affairs, or any Proceedings for the Purpose of procuring such a Finding, shall be carried on, as far as may be practicable, according to the Provisions of this Act, and, subject thereto, according to the Provisions of the said Acts or any of them, which shall for that Purpose be deemed to continue in force notwithstanding the Repeal aforesaid, or in case of Doubt as to the Mode of Procedure in such of the Modes aforesaid as the Masters in Lunacy shall direct.

Mode of Proceeding in existing Cases.

Interpretation of Terms.

II. In this Act, unless there be something in the Subject Matter or Context repugnant to the Construction,—

The Expression "the Lord Chancellor" shall be construed to mean the Lord High Chancellor of *Great Britain* for the Time being, and to include or be applicable to the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of the United Kingdom for the Time being;

And the Expression "the Lord Chancellor intrusted as aforesaid" shall be construed to mean the Lord High Chancellor of *Great Britain* for the Time being intrusted by virtue of the Queen's Sign Manual with the Care and Commitment of the Custody of the Persons and Estates of Persons found idiot, lunatic, or of unsound Mind; and when and so long as the Lords Justices of the Court of Appeal in Chancery for the Time being shall be intrusted as aforesaid concurrently with the Lord Chancellor, then and so long the last-mentioned Expression shall be construed to include or be applicable to the Lords Justices aforesaid, so that all the Powers, Authorities, and Duties to be had, exercised, and performed under this Act by the Lord Chancellor intrusted as aforesaid shall and may be had, exercised, and performed as well by the Lord Chancellor acting either alone or jointly with both or either of the Lords Justices aforesaid, as by both of the Lords Justices aforesaid acting jointly apart from the Lord Chancellor;

And

And the Expression "the Lords Justices" shall be construed to mean the Lords Justices aforesaid for the Time being, or One of them;

And the Expression "the Lord Chancellor of *Ireland*" shall be construed to comprehend the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Ireland* for the Time being;

And the Expression "the Masters" shall be construed to mean the Masters in Lunacy for the Time being, jointly or severally;

And the Expression "the Registrar" shall be construed to mean the Registrar in Lunacy for the Time being;

And the Word "Commission" shall be construed to mean a Commission in the Nature of a Writ De lunatico inquirendo, and to comprehend the General Commission by this Act authorized to be issued;

And the Word "Land" shall be construed to comprehend any Manor, Messuage, Tenement, Hereditament, or Real Property of whatsoever Tenure, and also Property of every Description transferable otherwise than in Books kept by any Company or Society, or any Share thereof or Charge thereon, or Estate or Interest therein;

And the Word "Stock" shall be construed to comprehend any Fund, Annuity, or Security transferable in Books kept by any Company or Society, or any Money payable for the Discharge or Redemption thereof, or any Share or Interest therein;

And the Word "Dividends" shall be construed to comprehend Interest or other annual Produce;

And the Provisions relating to "the Bank of *England*" shall be construed to extend and be applicable to the *East India* Company, the *South Sea* Company, and every other Company or Society established or to be established;

And the Word "Conveyance" shall be construed to comprehend any Release, Surrender, Assignment, or other Assurance, including all Acts, Deeds, and Things necessary for making and perfecting the same;

And the Word "Transfer" shall be construed to comprehend any Assignment, Payment, or other Disposition;

And the Word "Lunatic" shall be construed to mean any Person found by Inquisition idiot, lunatic, or of unsound Mind, and incapable of managing himself or his Affairs;

And the Expression "next of Kin" shall be construed to refer to the next of Kin of a Lunatic, and to comprehend his Heir or Heirs-at-Law, and also the Person or Persons who would be entitled to his Estate, or to Shares thereof, under the Statutes for the Distribution of the Effects of Intestates, in case he were dead intestate;

And

And the Word "Person" or "Party" shall be construed to comprehend a Body Corporate.

Schedules Parts of Act.

III. The Schedules hereunder written shall be deemed to be Parts of this Act.

Extent of Act.

IV. This Act shall extend to *England* and *Wales*, and to *Ireland* where the same is specifically mentioned.

Commencement and Short Title of Act.

V. This Act shall take effect from the 28th Day of *October* 1853, and may be cited as "The Lunacy Regulation Act, 1853."

Officers.

And with respect to the several Officers in Lunacy, be it further enacted as follows:

Power to Lord Chancellor to appoint Two Masters in Lunacy, who, before acting, shall take Oath in the Second Schedule.

VI. There shall be Two Masters in Lunacy, who shall hold their Offices during good Behaviour, and the present Masters in Lunacy shall be continued and be the Masters in Lunacy during good Behaviour, and the Lord Chancellor shall, from Time to Time as any Vacancy shall occur in the Office of Master in Lunacy, appoint a fit Person, being a Serjeant or Barrister-at-Law of not less than Ten Years standing at the Bar, to fill the Vacancy, and the Person to be so appointed shall, before being capable of acting as Master in Lunacy, take before the Lord Chancellor, in the Manner now used, the Oath set forth in the Second Schedule hereunder written, and the Masters in Lunacy for the Time being shall have the same Rank and Precedence as the present Masters now take.

Masters to have Powers of Commissioners.

VII. The Masters in Lunacy shall have, perform, and execute all the Powers, Duties, and Authorities which were at the Time of the passing of the Act of the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her Majesty, Chapter Eighty-four, had, performed, and executed by Commissioners named in Commissions in the Nature of Writs De lunatico inquirendo.

All References connected with Lunatics to be made to Masters.

VIII. All the Inquiries and Matters connected with the Persons and Estates of Lunatics which were at the Time of the passing of the last-mentioned Act of Parliament usually referred to the Masters in Ordinary of the High Court of Chancery (except Inquiries and Matters which may be or might have been referred under the Trustee Act, 1850, or any Act thereby repealed,) shall henceforth, where References shall be made, be referred to the Masters in Lunacy, who shall have, perform, and execute all the Powers, Duties, and Authorities relating to the Inquiries and Matters so to be referred to them as aforesaid which were at the Time last aforesaid had, performed, and executed by the Masters in Ordinary of the High Court of

of Chancery, and shall perform such other Duties for the Security and Advantage of Lunatics and their Estates as the Lord Chancellor intrusted as aforesaid shall from Time to Time direct.

Masters to perform Duties under Regulations of the Lord Chancellor.

IX. All the Powers and Authorities by or under this Act vested or to be vested in the Masters shall be joint and several, and they shall execute Commissions and conduct Inquiries connected with Lunatics or their Estates, and perform all other Duties committed or to be committed to them by or by virtue of any Act hereby repealed or this Act, either separately or together, and at such Places, within such Times, and in such Manner as any General Order in Lunacy, and, subject thereto, as any Special Order of the Lord Chancellor intrusted as aforesaid, shall from Time to Time direct.

Registrar to perform Duties under Regulations of Lord Chancellor.

X. The Lord Chancellor shall have, as at present, an Officer called "The Registrar in Lunacy," who shall perform the Duties committed to him by or by virtue of this Act, and such other Duties connected with Lunatics and their Estates, at such Places, within such Times, and in such Manner, as the Lord Chancellor shall from Time to Time direct.

Duties of Clerk of the Custodies to be performed by Masters and Registrar.

XI. The Masters and the Registrar respectively shall continue to discharge all Duties which formerly belonged to the Office of Clerk of the Custodies of Idiots and Lunatics, and which were, under the Provisions of the Act of the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her Majesty, Chapter Eighty-four, on the Abolition of that Office, transferred to them respectively, so far as the same may be necessary to be discharged, according to the Practice for the Time being subsisting in Lunacy.

As to the Masters Salaries and retiring Annuities.

XII. The Masters shall receive Salaries of Two thousand Pounds *per Annum* each; and the Lord Chancellor may, on a Petition presented to him for that Purpose, order (if he shall so think fit) Annuities, not exceeding the Sum of One thousand two hundred Pounds each, to be paid to the Persons continued and to be appointed Masters respectively, if and when they respectively shall be afflicted with some permanent Infirmity disabling them respectively from the due Execution of their respective Offices, and shall be desirous of resigning the same.

Power to Lord Chancellor to remove, and grant Annuities to future Masters, if afflicted with Infirmity.

XIII. The Lord Chancellor may by Order remove any One of the Masters in Lunacy to be appointed after the Commencement of this Act, who shall be afflicted with any permanent Infirmity disabling him from the due Execution of his Office, and who shall refuse to resign or be incapable of resigning the same, and may, upon such

Removal, order to be paid to him an Annuity or retiring Allowance not exceeding in Amount Two equal Third Parts of his yearly Salary.

Salary of Registrar.

XIV. The Registrar shall receive such Salary as the Lord Chancellor, with the Approbation of the Commissioners of Her Majesty's Treasury, has directed or shall from Time to Time direct.

Number and Salaries of the Clerks of the Masters and the Registrar.

XV. Such Officers, Clerks, and Messengers shall and may be from Time to Time appointed by the Masters and the Registrar respectively in their respective Offices as the Lord Chancellor, with the Approbation of the Lords Commissioners of Her Majesty's Treasury, has directed or shall from Time to Time direct, but the Appointment of the Chief Clerk of the Masters shall be made with the Approbation of the Lord Chancellor; and the present Officers, Clerks, and Messengers shall be continued as if this Act had not been passed, and without Prejudice to any Right or Claim of them or any of them in respect of Length of Service or otherwise; and the Officers, Clerks, and Messengers for the Time being shall respectively receive such Salaries as the Lord Chancellor, with the Approbation of the said Commissioners of the Treasury, has directed or shall from Time to Time direct.

Power to Lord Chancellor to appoint Visitors.

XVI. There shall be Two Medical Visitors and One Legal Visitor of Lunatics, who shall hold their Offices during Pleasure; and the present Visitors shall be continued and be the Visitors during Pleasure; and the Lord Chancellor shall, from Time to Time as any Vacancy shall occur in the Office of Medical Visitor or Legal Visitor, appoint, by Writing under his Hand, a fit Person, being a Physician in actual Practice, to succeed a Medical Visitor, and a fit Person, being a Barrister of not less than Five Years standing, to succeed a Legal Visitor.

Masters to be ex-officio Visitors.

XVII. The Masters for the Time being shall, by virtue of their Appointments to be Masters, become and be Visitors of Lunatics jointly with the Visitors for the Time being.

Visitors not to be interested in Houses for Reception of Insane Persons.

XVIII. No Person shall be appointed to be a Visitor who shall be or shall have been within the Two Years then next preceding directly or indirectly interested in the keeping of any House licensed for the Reception of Insane Persons; and if any Person shall after his Appointment become so interested, his Appointment as Visitor shall *ipso facto* become null and void, and thereupon his Salary shall cease.

XIX. The

XIX. The Medical Visitors shall receive such Salaries, not exceeding the Sum of Five hundred Pounds *per Annum* each, and the Legal Visitor to be appointed after the Commencement of this Act shall receive such Salary, not exceeding the like Sum, as the Lord Chancellor, with the Approbation of the said Commissioners of the Treasury, shall from Time to Time order; and the Salary of the present Legal Visitor shall remain at its present Amount.

Salaries of Visitors.

XX. The Medical and Legal Visitors and the Masters, or so many of them, not being less than Three in Number, as may from Time to Time be able, consistently with the Discharge of their other Duties, to attend, shall from Time to Time form themselves into a Board for their mutual Guidance and Direction on Matters connected with the visiting of Lunatics; and the Board shall be at liberty to report to the Lord Chancellor intrusted as aforesaid upon any Matter connected with the Duties of the Visitors or of the Board, as they think proper.

The Visitors and Masters to form a Board.

XXI. Where a Medical or a Legal Visitor is temporarily prevented from discharging his Duty by Illness or unavoidable Absence, but not otherwise, he may, with the Approbation of the Lord Chancellor intrusted as aforesaid, appoint a Physician in actual Practice, or a Barrister of not less than Five Years standing, (as the Case may require,) to act in his Stead during his Illness or unavoidable Absence; and the Physician or the Barrister so appointed shall, while his Appointment remains in force, have, perform, and execute all the Powers, Duties, and Authorities belonging to the Office of Medical Visitor or of Legal Visitor (as the Case may be) with full Validity and Effect to all Intents and Purposes.

Medical or Legal Visitor may appoint a Substitute during his Illness, &c.

XXII. There shall be a Secretary to the Visitors, who shall hold his Office during Pleasure; and the present Secretary shall be continued and be the Secretary during Pleasure; and the Lord Chancellor shall, from Time to Time as a Vacancy shall occur in the Office of Secretary, appoint, by Writing under his Hand, a fit Person to fill the Vacancy.

Lord Chancellor to appoint a Secretary to Visitors.

XXIII. The Secretary shall receive such Salary, not exceeding the Sum of Three hundred Pounds *per Annum*, as the Lord Chancellor has ordered or shall from Time to Time order; and a Clerk to the Secretary may be appointed by him, with the Approbation of the Lord Chancellor, who shall receive such Salary, not exceeding the Sum of One hundred and fifty Pounds *per Annum*, as the Lord Chancellor shall from Time to Time order.

The Salary of the Secretary and his Clerk.

XXIV. Such Allowances as the Lord Chancellor, with the Approbation of the said Commissioners of the Treasury, shall from Time to Time

Masters, Visitors, &c. to be allowed travelling

and other Expenses.

Time order, shall be made to the Masters and the Visitors for their respective travelling and other Expenses, and to the Masters and the Registrar, and the Secretary to the Visitors, (but in the latter Case under the Direction of the Visitors,) for providing and maintaining suitable Offices, and for the other Expenses incident to the Discharge of the Duties of their respective Offices.

Salaries, &c. to be paid quarterly, out of Suitors Fee Fund.

XXV. All Salaries and Annuities continued or given by or under this Act (inclusive of the Salaries of the Visitors and their Secretary, as from the Day on which the Account entitled "The Account of the Board of Visitors for the better Care and Treatment of Lunatics" shall be closed as herein-after mentioned,) shall grow due from Day to Day, and the same, with all Allowances continued or given by or under this Act, (inclusive of the Allowances to the Visitors and their Secretary as from the same Day,) shall be payable and paid under Order of the Lord Chancellor to the several Persons entitled thereto, or to their respective Executors or Administrators, out of the Fund standing in the Name of the Accountant General of the Court of Chancery to the Account entitled "The Suitors Fee Fund Account," on the Third Day of *February*, the Third Day of *May*, the Third Day of *August*, and the Third Day of *November* in every Year, or on such other Days as the Lord Chancellor shall from Time to Time direct, free from Deduction; and all such Salaries, Annuities, and Allowances as aforesaid which are continued by or under this Act shall be payable out of the aforesaid Fund in such Priority as they respectively would have had if the several Acts hereby repealed had not been repealed; and all such Salaries, Annuities, and Allowances as aforesaid which are or shall be originally by or under this Act charged upon the aforesaid Fund shall be payable and paid out of the same Fund, subject and without Prejudice to the Payment of all other Sums of Money by any former Act or Acts now in force directed or authorized to be paid thereout.

Per centage and Fees.

And whereas it would greatly facilitate the Simplification and Improvement of the Practice in Lunacy, and would be attended with Convenience, and with a Saving of Expense to the Estates of Lunatics, that the Charges incident to the Administration of the Estates of Lunatics under the Authority of the Lord Chancellor should be defrayed in part by means of a Per-centage, graduated in an equitable Manner as between the richer and poorer Estates, and in part by means of Fees on Proceedings: Be it therefore enacted as follows:

Per-centage on clear Incomes to be paid according to the Scale herein specified.

XXVI. A Per-centage on the respective clear annual Incomes of all Lunatics shall be paid according to the several Rates following; that is to say,

The Rate of Four *per Centum* for each clear annual Income amounting to One hundred Pounds and not amounting to One thousand

thousand Pounds, but so that no larger Sum be payable in any such Case in any One Year than Thirty Pounds;

The Rate of Three *per Centum* for each clear annual Income amounting to One thousand Pounds and not amounting to Five thousand Pounds, but so that no larger Sum be payable in any such Case in any One Year than One hundred Pounds; and

The Rate of Two *per Centum* for each clear annual Income amounting to Five thousand Pounds or upwards, but so that no larger Sum be payable in any such Case in any One Year than Two hundred Pounds:

And in every Case the fractional Parts less than One Moiety of the Pound Sterling shall be disregarded in the Calculation of the Amount payable for Per-centage, and shall not be levied or paid.

Masters to certify Amount, &c. which shall be paid out of the Income of the Lunatic.

XXVII. The Masters shall from Time to Time certify what is the Amount of each such clear annual Income as aforesaid, and of the Per-centage payable thereon, and who is the Committee or other Person who is to pay the same, and thereupon such Committee or other Person as aforesaid shall pay the same out of the first Monies coming to his Hands in respect of the Income of the Lunatic.

Per-centage to be paid notwithstanding Death, &c. before Payment.

XXVIII. The Per-centage aforesaid, or a proper proportionate Part thereof, (as the Case may require,) shall be chargeable and charged upon the Estate of a Lunatic, and be payable thereout, although before Payment thereof he die, or the Inquisition in his Case be superseded, or be vacated and discharged on a Traverse; but in either of the Two Cases last aforesaid the Lord Chancellor intrusted as aforesaid may, if he see fit, remit or reduce the Amount of the Sum to be paid; and the Payment of the Amount in every Case shall be enforced in such Manner and under such Regulations as the Lord Chancellor, with the Advice and Assistance of the Lords Justices, being intrusted as aforesaid, shall from Time to Time direct.

Present Fees abolished, and new Fees substituted.

XXIX. All Fees now payable in relation to Proceedings in Lunacy shall be and the same are hereby abolished, and in lieu thereof there shall be paid the following Fees only; that is to say,

	£	s.	d.
For each Order or Fiat of the Lord Chancellor intrusted as aforesaid - - - -	2	0	0
For each Report or Certificate of the Masters and Taxing Masters respectively (other than a Certificate of the Masters respecting Income and Per-centage only) - - - - -	1	0	0
For attending any Court by the Clerk, *per Diem* -	1	0	0

And for all Engrossments, Transcripts, and Copies of Documents

 and

and Papers, the actual Amount of the Stationer's Charges paid by the Masters and Registrar respectively for the same.

Power to Lord Chancellor to alter Per-centage and Fees.

XXX. The Lord Chancellor may, with the Advice and Assistance aforesaid, by Order, from Time to Time reduce the several Rates of Per-centage aforesaid or any of them, and again, if it shall seem to him expedient, from Time to Time raise the same several Rates or any of them, but not to Rates higher than those respectively hereinbefore prescribed, and also may, with the like Advice and Assistance, by Order, from Time to Time vary or abolish the Fees aforesaid or any of them, or other the Fees for the Time being payable in relation to Proceedings in Lunacy, or any of them, and, if and when it shall seem to him necessary or expedient, fix and impose other Fees, or Fees of altered Amount.

Per-centage and Fees to be collected by Stamps, and Provisions of 15 & 16 Vict. c. 87. respecting Stamps, &c. extended to this Act.

XXXI. The Per-centage and the Fees for the Time being payable under this Act shall be collected by means of Stamps, which shall be under the Management of the Commissioners of Inland Revenue; and the Provisions of the Act of the last Session of Parliament for "The Relief of the Suitors of the High Court of Chancery," respecting Stamps, and the Monies arising from the Sale thereof, shall be and are and every of them is hereby extended so as to be applicable and applied, *mutatis mutandis*, to Stamps to be used under this Act, and the Monies arising from the Sale thereof.

Power to exempt small Properties.

XXXII. Where it is made to appear to the Lord Chancellor intrusted as aforesaid that the net Amount or net estimated Value of the Property of a Lunatic does not exceed the Sum of Seven hundred Pounds Sterling in respect of the Corpus thereof, or the Sum of Fifty Pounds Sterling *per Annum* in respect of the Income thereof, he may order (if he shall think fit) that no Fee shall be taken or paid, or Per-centage be levied or paid, in relation to the Proceedings in the Matter or the Property, as from the Date of the Order or such other Time as he shall direct, during the Continuance of the Lunacy or until further Order.

Provisions respecting Per-centage and Fees to apply to Cases under 8 & 9 Vict. c. 100., and to certain Cases where Lunatic is out of Jurisdiction.

XXXIII. All the foregoing Provisions respecting Fees and Per-centage shall be applicable to the Proceedings in the Matter of and to the Property of a Lunatic under the Protection of the Lord Chancellor intrusted as aforesaid by virtue of Proceedings taken under the Provisions of the Act of the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her Majesty, Chapter One hundred, Section Ninety-five, and also to the Proceedings in the Matter of and to the Property of a Lunatic under the Protection of the Lord Chancellor intrusted as aforesaid by virtue of the Transmission

mission of the Record of an Inquisition from *Ireland*, and its Entry of Record in the Chancery of *England*, and also to the Proceedings in the Matter of and to the Property of a Person residing out of *England* and *Wales*, and declared idiot, lunatic, or of unsound Mind according to the Laws of the Place where he is residing, where the Lord Chancellor intrusted as aforesaid makes an Order affecting the Stock or any Portion of the Capital Stock or Shares of such Person as last aforesaid, or the Dividends thereof; and the aforesaid Provisions shall be applied to the several Classes of Cases mentioned in this present Section in such Manner and under such Regulations as the Lord Chancellor shall, with the Advice and Assistance aforesaid, from Time to Time order, but so that no Per-centage be levied or paid in either of the Two last-mentioned Cases except in respect of Income arising from Property being within the Jurisdiction of the Lord Chancellor intrusted as aforesaid, and being administered by him or under his Authority and Direction.

Recital of 3 & 4 W. 4. c. 36. imposing a Per-centage for Visitors of Lunatics.

And whereas the Per-centage which is now, under the Provisions of the Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of King *William* the Fourth, Chapter Thirty-six, imposed upon the Estates of Lunatics, and paid into the Bank of England, in the Name and with the Privity of the Accountant General of the Court of Chancery, to an Account entitled "The Account of the Board of Visitors for the better Care and Treatment of Lunatics," will be discontinued under this Act: Be it therefore further enacted as follows:

Sums due for this Per-centage to be paid.

XXXIV. Every Committee, Receiver, or other Person who is or shall be liable to pay any Money in respect of the Per-centage last aforesaid shall, notwithstanding this Act, pay the same into the Bank, in the Manner now used, either to the Account last aforesaid, or, after it has been closed as herein-after provided, to the said "Suitors Fee Fund Account," and be allowed the same on passing his Accounts before the Masters.

Salaries, &c. charged on this Per-centage to continue payable thereout for a limited Time.

XXXV. All Salaries and other Sums of Money payable out of the Monies standing to the Credit of the "Account of the Board of Visitors for the better Care and Treatment of Lunatics" shall continue to be payable thereout, until the Account shall be closed as herein-after is provided, and shall be paid thereout accordingly in the Manner now used.

Account to be closed, and Balance carried to Suitors Fee Fund.

XXXVI. The last-mentioned Account shall be closed on the Third Day of *December* next after the passing of this Act, or on such other Day as the Lord Chancellor, with the Advice and Assistance aforesaid, shall order, and the Balance which shall then be remaining

remaining on the same Account shall be carried over to the said "Suitors Fee Fund Account," under Order of the Lord Chancellor.

Account to be audited.

XXXVII. The Account of Monies received and paid on the "Account of the Board of Visitors for the better Care and Treatment of Lunatics," not previously audited, shall, as soon as may be after the closing of the Account, be made out by the Secretary to the Visitors, and be audited and signed by the Master in Ordinary of the High Court of Chancery, or other Officer to whom the Matter of the Account shall then stand referred, and shall be afterwards filed with the Registrar in Lunacy, and no Fee shall be charged or taken upon, for, or in respect of the auditing or filing thereof.

Inquisition.

And with respect to the Inquisition, be it further enacted as follows:

Commissions may be directed to fewer than Three Persons, and shall be directed to Masters.

XXXVIII. Any Commission in the Nature of a Writ De lunatico inquirendo directed to One Person or to Two Persons, and the Inquisition returned thereon, shall be as valid and effectual to all Intents and Purposes as if directed to and returned by more than Two Persons; and every Commission shall (subject to the Provision hereinafter contained) be directed to the Masters, or One of them, and may be varied in Form from that now in use in such Manner as to the Lord Chancellor may seem necessary or expedient.

General Commission may be issued directed to Masters.

XXXIX. In lieu of the Commission now issued specially in each Case of alleged Lunacy, a General Commission to the like Effect, with such Variations as may be necessary or expedient, may from Time to Time be issued in Duplicate under the Great Seal, directed to the Masters by Name, jointly and severally, who shall by virtue thereof proceed, in each Case of alleged Lunacy concerning which the Lord Chancellor intrusted as aforesaid shall order them to inquire, in like Manner and with all the like Powers and Authorities (subject to the Provisions herein-after contained) as if a Commission had issued specially in such Case, and every Inquisition found and returned thereon shall be as valid and effectual to all Intents and Purposes as if the same had been found and returned on a separate Commission.

Alleged Lunatic, within Jurisdiction, to have Notice, and may demand an Inquiry before a Jury.

XL. Where the alleged Lunatic is within the Jurisdiction, he shall have Notice of the Presentation of the Petition for Inquiry, and may, by a Notice, signed by him, and attested by his Solicitor, and filed with the Registrar, either before the Presentation of the Petition or within Seven Days after such Notice had by him as aforesaid, or at or within such other Time as the Lord Chancellor intrusted as aforesaid shall order in the particular Case, demand an Inquiry before a Jury.

XLI. Where

XLI. Where the alleged Lunatic demands an Inquiry before a Jury, the Lord Chancellor intrusted as aforesaid shall in his Order for Inquiry direct the Return of a Jury, unless he be satisfied, by personal Examination of the alleged Lunatic, that he is not mentally competent to form and express a Wish for an Inquiry before a Jury; and the Lord Chancellor intrusted as aforesaid may, where he shall deem it necessary, after Presentation of the Petition for Inquiry, and for the Purpose of personal Examination, require the alleged Lunatic to attend him at such convenient Time and Place as he may appoint.

Where alleged Lunatic demands a Jury, Lord Chancellor may examine him as to Competency, and order a Jury.

XLII. Where the alleged Lunatic does not demand an Inquiry before a Jury, or the Lord Chancellor intrusted as aforesaid is satisfied by personal Examination of him that he is not mentally competent to form and express a Wish in that Behalf, and it appears to the Lord Chancellor intrusted as aforesaid, upon Consideration of the Evidence adduced before him on the Petition for Inquiry, and of the Circumstances of the Case, so far as they are before him, to be unnecessary or inexpedient that the Inquiry should be before a Jury, and he accordingly does not in his Order for Inquiry direct the Return of a Jury, then the Masters shall, by virtue of their General Commission, and under such Order for Inquiry, but without a Jury, personally examine the alleged Lunatic, and take such Evidence, upon Oath or otherwise, and call for such Information, as they may think fit or the Lord Chancellor intrusted as aforesaid may direct, in order to ascertain whether or not the alleged Lunatic is of unsound Mind, and shall certify their Finding thereon.

Cases where a Jury may be dispensed with.

XLIII. Where the Lord Chancellor intrusted as aforesaid, under such Circumstances as herein-before mentioned, does not in his Order for Inquiry direct the Return of a Jury, but the Masters acting under the Commission, upon Consideration of the Evidence before them, certify to him that in their Opinion an Inquiry before a Jury is expedient, they shall, without further Order, issue their Precept to the Sheriff, and shall proceed in like Manner in all respects, and their Proceedings shall be as valid and effectual, to all Intents and Purposes, as if the Lord Chancellor intrusted as aforesaid had directed the Return of a Jury in the first instance.

Jury to be had, if Masters certify that it is expedient.

XLIV. Where the Masters certify that the alleged Lunatic is of unsound Mind, and incapable of managing himself or his Affairs, or that he is of unsound Mind, and incapable of managing himself or his Affairs, and has been so from a Time past, or, on the contrary, certify that the alleged Lunatic is of sound Mind, and capable of managing himself and his Affairs, the Certificate shall be and be deemed to be an

Certificate of Masters without a Jury to be deemed an Inquisition

an Inquisition, and be of the same Force and Effect, to all Intents and Purposes, and be returned, filed, and proceeded on in the same Manner in all respects as an Inquisition taken upon the Oath of a Jury.

Jury to be had if Lunatic out of Jurisdiction.

XLV. Where the alleged Lunatic is not within the Jurisdiction the Inquiry shall be before a Jury, and no further or other Notice shall be necessary to be given to him than he would have been entitled to receive if this Act had not been passed.

Lord Chancellor may regulate Number of Jury.

XLVI. The Lord Chancellor may from Time to Time, by Order, regulate the Number of Jurors to be sworn, but so that every Inquisition upon the Oath of a Jury be found by the Oaths of Twelve Men, at the least.

Inquiry not to be carried back, except under Special Order.

XLVII. The Inquiry, whether with or without a Jury, shall, as far as relates to the State of Mind of the alleged Lunatic, be confined to the Question whether or not the alleged Lunatic is of unsound Mind, and incapable of managing himself or his Affairs, at the Time of the Inquiry, except where the Lord Chancellor intrusted as aforesaid, under special Circumstances, shall direct that there be also an Inquiry from what Time the alleged Lunatic has been of unsound Mind, and incapable of managing himself or his Affairs, or shall direct that there be also an Inquiry whether or not the alleged Lunatic was of unsound Mind, and incapable of managing himself and his Affairs, at a previous Time specified, and thenceforth down to the Time of the Inquiry.

Commissioner, with Jury, to have Powers of Judge of Court of Record.

XLVIII. The Person executing an Inquiry with a Jury shall, while so employed, have all the like Powers, Authorities, and Discretion as a Judge of a Court of Record.

The foregoing Provisions prospective only.

XLIX. The foregoing Provisions "with respect to the Inquisition" shall apply only where the Petition for Inquiry is presented after the Commencement of this Act; and every Petition for Inquiry theretofore presented, and on which an Order has not then been made, shall, with respect to the Inquisition, be proceeded on as if this Act had not been passed.

Nothing to preclude the Lord Chancellor from issuing a Special Commission.

L. Nothing in this Act contained shall be taken to preclude the Lord Chancellor from issuing a Commission specially in any Case of alleged Lunacy, or from issuing a Commission directed to any fit Person or Persons, in addition to the Masters, or One of them, if he shall upon any Occasion deem it proper to do so; and the foregoing Provisions shall be deemed to extend to every Commission so issued specially, or so directed as aforesaid, so far as they may be applicable.

LI. Where

LI. Where in any Act of Parliament, Order or Rule of Court, or Instrument whatsoever, Reference is made to a Commission in the Nature of a Writ De lunatico inquirendo, or the Inquisition thereon, the General Commission hereby authorized to be issued, and such Inquisition, or Certificate operating as an Inquisition, as is hereby authorized to be made and returned, shall be deemed to be intended by or comprehended in the Reference.

Reference in other Acts to Commission shall apply to General Commission hereby authorized to be issued.

LII. Where it is desired that an Inquisition taken on a Commission issued under, or a Writ of Supersedeas thereof issued under, the Great Seal of the United Kingdom or under the Great Seal of *Ireland* respectively, should be acted upon in *Ireland* or in *England* respectively, the proper Officer may, under Order of the Lord Chancellor of *Great Britain*, or the Lord Chancellor of *Ireland*, as the Case may be, transmit a Transcript of the Record of the Inquisition, or of the Writ, to the Chancery of *Ireland* or of *England*, as the Case may be, which Transcript shall thereupon be entered and be of Record there respectively, and shall, when so entered of Record, and if and so long only as the Lord Chancellor of *Ireland* intrusted as aforesaid, and the Lord Chancellor of *Great Britain* intrusted as aforesaid, as the Case may be, shall see fit, be acted upon by them respectively, and be of the same Validity and Effect, to all Intents and Purposes, as if the Inquisition had been taken on a Commission issued under, or the Writ of Supersedeas had been issued under, the Great Seal of *Ireland* or of the United Kingdom respectively.

Inquisition and Supersedeas may be transmitted from and to Ireland and England, and be acted upon there respectively.

And whereas Proceedings under Commission confer larger and more effectual Powers for the due Protection, Care, and Management of the Persons and Estates of Persons of unsound Mind than Proceedings under the Act of the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her Majesty, Chapter One hundred, Sections Ninety-four to Ninety-eight (both inclusive), and the Expenses of Proceedings under Commission will be much diminished by this Act: Be it therefore further enacted as follows:

LIII. It shall not be lawful for the Lord Chancellor intrusted as aforesaid to direct that One of the Masters shall make such Examination as by the Ninety-fifth Section of the last-mentioned Act is authorized in any Case in which a Petition or a Report upon which such Direction of the Lord Chancellor intrusted as aforesaid might be founded shall not have been presented or made before the Commencement of this Act.

Proceedings under 8 & 9 Vict. c. 100. to be discontinued.

LIV. Where the Commissioners in Lunacy for the Time being shall after the Commencement of this Act, by virtue of any Authority for

Inquiry may be ordered on Report

of Commissioners.

for the Time being enabling them in that Behalf, report to the Lord Chancellor intrusted as aforesaid that they are of opinion that the Property of any Person alleged to be a Lunatic, or detained or taken charge of as a Lunatic, but not so found by Inquisition, is not duly protected, or that the Income thereof is not duly applied for his Benefit, or to the same Effect, the Report shall be filed with the Registrar, and shall be deemed and taken to be tantamount to an ordinary Petition for Inquiry supported by Evidence, and the alleged Lunatic shall have Notice of the Report from such Person as the Lord Chancellor intrusted as aforesaid shall from Time to Time direct, and the Case shall proceed and be conducted as nearly as may be in all respects as is herein-before directed upon the Presentation of a Petition for Inquiry.

Proceedings after Inquisition.

And with respect to certain of the Proceedings after Inquisition, be it further enacted as follows:

Evidence may be oral, &c.

LV. The Masters may direct that the Evidence in the Matter of a Lunatic or on any particular Proceeding in the Matter be taken orally, or partly orally and partly by Affidavit, and it shall be so taken accordingly.

Masters may administer Oaths and take Recognizances.

LVI. The Masters may, in the Matter of a Lunatic or alleged Lunatic, administer an Oath to any Witness, whether his Deposition or Affidavit is to be used before themselves or not, and Recognizances may be taken and acknowledged before them.

Swearing of Affidavits in the Colonies, &c.

LVII. The Provisions of the Act of the last Session of Parliament, Chapter Eighty-six, Sections Twenty-two, Twenty-three, and Twenty-four, respecting Affidavits made in Causes or Matters depending in the High Court of Chancery, shall be and the same are hereby extended so as to be applicable, *mutatis mutandis*, to Affidavits made in Matters in Lunacy.

Form of Affidavits.

LVIII. Every Affidavit to be used in a Matter in Lunacy shall be taken and expressed in the First Person of the Deponent, and shall be divided into Paragraphs numbered consecutively, and respectively confined, as nearly as may be, to distinct Portions of the Subject Matter.

Short Form of Affidavit for Verification of Documents, as in Schedule III.

LIX. Where an Affidavit is required for verifying all or some of the Statements contained in a Petition, State of Facts, Proposal, or other Document, the Affidavit may be annexed or under written thereto, and may be in the Form set forth in the Third Schedule hereunder written, with such Variations as the Circumstances may require; and where the aforesaid Form is, in the Opinion of the Taxing

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Taxing Master, applicable, no further or greater Costs of any Affidavit shall be allowed on Taxation than would be allowed for an Affidavit in the aforesaid Form.

Witnesses may be cross-examined orally.

LX. Every Person giving Evidence by Affidavit shall be liable to oral Cross-examination by or before the Masters, in the same Manner as if the Evidence given by him in his Affidavit had been given by him orally before the Masters, and after Cross-examination may be re-examined orally by or on behalf of the Person filing the Affidavit; and every Person giving Evidence by Affidavit shall be bound to attend before the Masters, to be so cross-examined and re-examined, upon receiving due and proper Notice, and Payment or Tender of his reasonable Expenses, in like Manner as if he had been duly served with a Writ of Subpœna ad testificandum before an Examiner of the High Court of Chancery; and the Expenses attending on such Cross-examination and Re-examination shall be paid in the first instance by the Parties respectively, in like Manner as if the Witness cross-examined were the Witness of the Party cross-examining, and shall on Taxation be ultimately borne and paid by the Estate, or the Parties respectively, or One of them, as the Lord Chancellor intrusted as aforesaid shall direct.

How Expenses to be paid.

Masters may issue Advertisements.

LXI. The Masters shall be at liberty to cause to be issued from Time to Time such Advertisements as may to them seem expedient with reference to the Subject Matter of a Proposal or Inquiry.

Masters to approve of Security to be given by by Committee of Estate.

LXII. The Masters shall, instead of Her Majesty's Attorney General, approve, on behalf of Her Majesty, of the Security to be from Time to Time given by the Committee of the Estate, under Order of the Lord Chancellor intrusted as aforesaid; and the Acts of the Masters with respect to the Security and to the Grant of the Custody shall have the same Force and Effect to all Intents and Purposes as the Acts of Her Majesty's Attorney General with respect to the same Matters now have.

If Her Majesty do not by Her Warrant direct Grant of Custody to be under Great Seal, Order of Lord Chancellor shall have the same Effect.

LXIII. In case Her Majesty shall think fit to authorize the Lord Chancellor intrusted as aforesaid to make Orders from Time to Time for the Custody of Persons already found or who may hereafter be found Idiots or Lunatics as aforesaid, and of their Estates, without requiring that any Grant or Commitment of such Custody should be passed under the Great Seal, then any Order to be made by the Lord Chancellor intrusted as aforesaid in pursuance of such Authority shall (as to the Custody of the Person immediately, and as to the Custody of the Estate upon the Masters Certificate of Completion of the Committee's Security,) have the same Force and

Validity as a Grant and Commitment of the Custody of such Idiots or Lunatics and their Estates would have had in case the same had been made under the Great Seal, by virtue of any Authority for that Purpose given by Her Majesty to the Lord Chancellor intrusted as aforesaid, and the Provisions of this Act respecting the Grant shall be deemed to extend to any Order to be made as aforesaid.

Masters may authorize Payment or Transfer into Court of Money or Stock as Security for Committee.

LXIV. Where it is desired and the Masters allow that the approved Committee of the Estate should, in lieu of giving Security in the Manner now usual by Bond or Recognizance with Sureties, give Security, in the whole or in part, by bringing into Court an adequate Sum of Money or Stock, the Masters may by Certificate direct or give Liberty for the Payment into the Bank of *England*, with the Privity of the Accountant General of the Court of Chancery, to the Credit of the Matter of the Lunatic, of any Sum of Money, or the Transfer into the Name and with the Privity of the said Accountant General, in trust in the Matter of the Lunatic, of any Sum of Stock, and may specify the Account to which the Sum of Money or Stock is to be placed, and may direct how any Money is to be invested, or how any Dividends are to be applied, and such Payment, Transfer, Investment, and Application, as the Case may require, shall be made by virtue of such Certificate, and the said Accountant General shall declare the Trust of the Sum of Money or Stock when so paid or transferred accordingly, subject to the Order of the Lord Chancellor intrusted as aforesaid.

Masters may receive and deliver out Deeds, &c. of Lunatic, and authorize Payment or Transfer into Court of Money or Stock belonging to Lunatic.

LXV. Where it appears expedient, either with a view to the Reduction of the Amount of the Security of the Committee of the Estate, or for any other Reason, the Masters may without Order receive or deliver out any Deed or Security belonging to the Lunatic, and may by Certificate direct or give Liberty for the Payment into the Bank of *England*, with the Privity of the Accountant General of the Court of Chancery, to the Credit of the Matter of the Lunatic, of any Sum of Money belonging to the Lunatic, or the Transfer into the Name and with the Privity of the said Accountant General, in trust in the Matter of the Lunatic, of any Sum of Stock belonging to the Lunatic, and such Payment or Transfer, as the Case may require, shall be made by virtue of such Certificate, and the said Accountant General shall declare the Trust of the Sum of Money or Stock when so paid or transferred accordingly, subject to the Order of the Lord Chancellor intrusted as aforesaid.

Grant of Custody may be extended to surviving

LXVI. Where the Masters find and report that several Persons are the most fit Persons to be appointed the Committees of the Estate or of the Person, and they are of opinion that it is expedient that One

One or more of the same several Persons should continue to be the Committee or Committees after the Death or Discharge of the others or other of them, and such Persons are willing so to continue, the Masters may report accordingly; and where the Report is confirmed the approved Committees of the Estate may perfect their Securities in such Form as to extend to the Acts and Defaults of One or more of them, in accordance with the Report, and thereupon the Grant of the Custody of the Estate or of the Person (as the Case may be) shall be made conformably with the Order of Custody; and the continuing or surviving Committee or Committees to whom separately the Grant extends shall and may continue until further Order to act after the Death or Discharge of the others or other of them, with all the like Powers, Authorities, and Discretions, and subject to all the like Liabilities, as the original Committees.

or continuing Committees in certain Cases.

LXVII. The Masters Allowance of the Account of a Committee for Receiver shall be signified under their Hands and be written under the Account, but no Certificate shall be made, except where it may be specially required with a view to Payment of Money into Court or for some other Purpose.

Form of Allowance of Accounts.

LXVIII. Where the Masters are of opinion that any small Expenses included in the Committee's or Receiver's Account have been properly and reasonably incurred for the Benefit or Enjoyment of the Lunatic, or the Improvement, Security, or Advantage of his Estate, and there is no Opposition to the Allowance thereof, but it may not be competent to them to allow the same to the Committee or Receiver without the Sanction of the Lord Chancellor intrusted as aforesaid, they shall distinguish the Items by some Mark in their Allowance of the Account, which shall be made subject to the Approval of the Lord Chancellor intrusted as aforesaid, and the Account as passed by the Masters shall be submitted by them to the Lord Chancellor, without Petition, for his Allowance or Disallowance in respect of the Items so distinguished by them.

Masters to distinguish Items in Account which they cannot allow, and the Account to be submitted to Lord Chancellor.

LXIX. The Masters shall be at liberty, without an Order of Reference, to receive any Proposal and conduct any Inquiry respecting the managing, repairing, setting, or letting of the Estate, and to report thereon.

Masters to receive Proposals in certain Cases.

LXX. The Masters shall also be at liberty, without an Order of Reference, to receive any Proposal and conduct any Inquiry relating to the Estate, not respecting the managing, repairing, setting, or letting hereof, and any Proposal or Inquiry whatsoever relating to the Person, and to report thereon respectively, if and when they shall be of opinion that

Masters may receive Proposals in other Cases.

that if Application were made to the Lord Chancellor intrusted as aforesaid concerning the Matter of any such Proposal or Inquiry a Reference thereon would be made to the Masters.

Persons objecting to Masters receiving Proposal may apply to Lord Chancellor.

LXXI. Where the Masters, without an Order of Reference, receive any Proposal or proceed in any Inquiry relating to the Estate, not respecting the managing, repairing, setting, or letting thereof, or any Proposal or Inquiry whatsoever respecting the Person, any Person attending before them shall be at liberty to apply by Petition to the Lord Chancellor intrusted as aforesaid, as he may be advised; and thereupon the Masters shall, pending the Application, cease from proceeding on the Proposal or in the Inquiry, unless the Lord Chancellor intrusted as aforesaid otherwise direct.

Masters may certify as to Propriety of Proposal with regard to Costs.

LXXII. Where the Masters, without an Order of Reference, receive and proceed on a Proposal or conduct an Inquiry, but arrive at the Opinion that the Proposal ought not to be adopted and carried into effect, or that the Inquiry was unnecessary, they shall be at liberty to certify whether or not, regard being had to the Circumstances, the Proposal or Inquiry was proper to be made; and if they certify in the affirmative, usual and proper Costs of the Proposal or Inquiry and Proceedings thereon shall be allowed on Taxation by virtue of their Certificate, but if they certify in the negative the Lord Chancellor intrusted as aforesaid shall direct by whom and in what Manner the Costs shall be paid and borne.

Person insisting on Report liable to Costs.

LXXIII. Where any Person requires that the Masters should report on a Proposal which they have received and proceeded on without an Order of Reference, notwithstanding their Opinion that it should not be adopted and carried into effect, the Masters shall report on the Proposal, and the Report shall be brought before the Lord Chancellor intrusted as aforesaid by Petition, who shall make such Order upon the Report and respecting the Costs as to him shall under the Circumstances seem just.

On Application not being made to Masters, Costs may be ordered to be paid.

LXXIV. Where an Application is made by Petition to the Lord Chancellor intrusted as aforesaid, either concerning a Matter which might have been brought before the Masters in the first instance, or in consequence of the Masters receiving any Proposal or proceeding in any Inquiry relating to the Estate or the Person, the Lord Chancellor intrusted as aforesaid may make such Order respecting the Costs of the Application and of the consequent Proceedings as to him shall, under the Circumstances, seem just.

LXXV. Subject

LXXV. Subject to the Provisions herein-after contained, the Masters shall, as soon as may be after the Return of the Inquisition, and may afterwards from Time to Time as they may think it expedient, inquire and certify who are the next of Kin, and, subject to the Provisions herein-after contained, due Notice of attending on the Proceedings in the Matter shall be given to the Persons for the Time being found to be the next of Kin.

Masters to inquire as to next of Kin, and they are to have Notice of Proceedings.

LXXVI. Where the Lord Chancellor intrusted as aforesaid, by virtue of the Power herein-before given, exempts the Property of a Lunatic from Payment of Fees and Per-centage, the Masters shall not during the Continuance of the Exemption inquire respecting his next of Kin, without Special Order.

No Inquiry as to next of Kin where Property exempted from Fees.

LXXVII. The Lord Chancellor intrusted as aforesaid may in any Case by Order defer an Inquiry respecting next of Kin, or direct that the Inquiry shall be carried on to such limited Extent only, and under such Restrictions and Provisions, and in such Manner, as he may under the Circumstances of the Case think expedient, and may, where he deems it just and expedient, order that Persons alleging themselves to be next of Kin be left to make out their Claim at their own Expense, and may in any Case, if from the Smallness of the Property of the Lunatic (although it be not such as to entitle it to Exemption from Payment of Fees and Per-centage) he think it safe and just, by Order wholly dispense with the Inquiry.

Lord Chancellor may dispense with or limit Inquiry as to next of Kin.

LXXVIII. Where the Masters are of opinion that by reason of the Smallness of the Property of a Lunatic or for any other Reason an Inquiry or a subsequent Inquiry (as the Case may be) respecting next of Kin should be dispensed with or deferred, or be carried on to a limited Extent only, they shall report accordingly.

Masters to report where Inquiry as to next of Kin inexpedient.

LXXIX. Where the Masters, in conducting an Inquiry respecting next of Kin, without any special Direction of the Lord Chancellor intrusted as aforesaid concerning the Mode of conducting the same, are of opinion that the Circumstances of the Case render it expedient and safe that strict Proof of Pedigree should not be gone into, they may dispense with the same to such Extent and in such Manner as may to them seem expedient, and may require and receive such Evidence as may appear to them sufficient and satisfactory respecting the Family and the next of Kin, and shall certify the Mode in which they have conducted the Inquiry.

Masters may dispense with strict Proof of Pedigree in certain Cases.

LXXX. The Lord Chancellor intrusted as aforesaid may, by Order, dispense with and disallow the Attendance on the Proceedings in the Matter

Lord Chancellor may dispense with

Attendance of next of Kin.

Matter of all or some of the next of Kin either wholly, or except at their own Expense, or except upon special Leave first obtained, as he shall under the Circumstances think expedient; and such Notice only of attending on the Proceedings shall be given as shall be conformable with the Order of the Lord Chancellor intrusted as aforesaid.

Masters to determine which of next of Kin to attend before them, and to certify, and the same only to attend before Lord Chancellor.

LXXXI. Subject to the Provisions herein-before contained, the Masters shall once in the Matter of each Lunatic, and may afterwards from Time to Time as they think it expedient, determine whether any One or more, and if any, how many and which, of the next of Kin is or are to attend on the Proceedings or on any particular Proceeding before them in the Matter (but exclusively, as at present, of the Heir-at-Law, with respect to Notice of or Attendance on the Account of the Committee of the Estate), and the Person or Persons alone (if any) to whom the Masters have given Liberty to attend shall be entitled to Notice of or shall be allowed to attend, at the Cost of the Estate, on any Proceeding, or on such particular Proceeding as aforesaid, (as the Case may be,) before the Masters, except upon their special Leave first obtained; and the same Person or Persons alone (if any) to whom the Masters have given Liberty to attend on the Proceedings before them in the Matter generally shall be entitled to Notice of or shall be allowed to attend, at the Cost of the Estate, on any Proceeding before the Lord Chancellor intrusted as aforesaid, except upon his special Leave first obtained, and for that Purpose the Masters shall, from Time to Time as Occasion may require, certify who is or are the Person or Persons (if any) to whom they have given Liberty to attend on the Proceedings before them in the Matter generally.

Masters may appoint Guardian for Lunacy.

LXXXII. Where an Infant, being One of the next of Kin, and being at liberty to attend on the Proceedings, has no Guardian, the Masters may from Time to Time, by Certificate, appoint a fit Person to be his Guardian for the Purposes of the Lunacy, who shall thereupon, for the Purposes of the Lunacy only, and not further or otherwise, have all the same Powers, Authorities, and Discretion as if he had been duly constituted Guardian by the Court of Chancery; and the Masters may, from Time to Time, by Certificate, revoke any such Appointment, and appoint another fit Person to be the Guardian, *toties quoties*.

In Cases of Members of same Family, Proceedings may be consolidated, and

LXXXIII. The Masters may, where it seems expedient, consolidate or carry on together similar Proceedings before them in the Matters of several Persons being Members of the same Family, and may in that Case, and also where it does not seem expedient that the Proceedings

Proceedings should be consolidated or carried on together, use in the Matter of One Member of a Family Evidence filed or taken in the Matter of another Member or other Members of the same Family, when and so far as it may be applicable.

Evidence interchanged.

LXXXIV. The Masters may, on being satisfied of a Lunatic's Death, without Order, open and read any Paper Writing deposited with them, and purporting or alleged to be his Will, for the Purpose of ascertaining who is therein nominated Executor thereof, and also whether or not there is any and what Direction therein contained concerning his Funeral or Place of Interment, and then deliver the same to the Registrar or other proper Officer of the Prerogative or other proper Ecclesiastical Court, to the Intent that the same may be exhibited in the usual Course, and dealt with according to Law and shall certify the Death, and the opening and delivering out of the Paper Writing accordingly.

Masters may open and deliver out Will.

LXXXV. The Masters shall be at liberty, without Order of Reference, to inquire and report whether or not any Person residing out of *England* and *Wales*, and where, has been declared idiot, lunatic, or of unsound Mind, and whether or not his Personal Estate, or some and what Part thereof, has been vested in a Curator or other and what Person appointed for the Management thereof, according to the Laws of the Place where the Person is residing, and whether or not any and what Stock, Portion of the Capital Stock, or Share of any and what Company or Society, is standing in the Name of or is vested in that Person, and what is his Interest therein.

Masters may inquire respecting Interest in Stock of Lunatic residing out of Jurisdiction.

LXXXVI. Subject to the Provisions of this Act, and to the General Orders in Lunacy for the Time being in force, and to any Order of the Lord Chancellor intrusted as aforesaid, the Masters may, if they think fit, dispense with any Summons ordinarily taken out in the Course of the Proceedings before them, and direct and require any Party attending before them to take out a Summons for a particular Purpose or within a particular Time, and fix the Time at which any particular Summons shall be returnable before them, or at or within which any Proceeding necessary or proper to be taken before them shall be taken, and may proceed *de die in diem* or adjourn the Proceedings before them, as they may see fit.

Masters may direct Times, &c. of proceeding before them.

LXXXVII. The Masters shall from Time to Time inquire into the Circumstances of any Delay in the Conduct of Proceedings before them, or in proceeding upon their Reports, Certificates, or Decisions, and

Masters to inquire into Delays.

and for that Purpose may call before them all Parties concerned, and may report accordingly, where it seems expedient.

Masters may disallow Costs.

LXXXVIII. The Masters may, by Certificate, disallow, wholly or in part, the Costs of any Proceeding or Document taken or used or proposed to be taken or used before them; and the Costs of the Attendance of Counsel before them shall not be allowed on Taxation, unless they certify that such Attendance was proper, and for the Security or Advantage of the Lunatic or his Estate.

Documents not to be of unnecessary Length.

LXXXIX. The Affidavits, Petitions, and other Documents brought in to the Offices of the Masters or Registrar shall not contain unnecessary Recitals or Statements of Proceedings or Documents previously taken or used in the Matter; and the Taxing Masters shall look into all such Affidavits, Petitions, and other Documents as aforesaid, and deal in such Manner as to them seems just with the Costs of any Affidavit, Petition, or other Document appearing to them to be unnecessary or improper, in the whole or in part, or of unnecessary Length.

Masters may report Decision pending Inquiry.

XC. The Masters shall be at liberty to report specially to the Lord Chancellor intrusted as aforesaid any Decision at which they may arrive, or any other Matter relating to any Inquiry or Proposal pending before or under Consideration by them, in order to obtain a Decision or Direction by or from him for their Guidance in the further Prosecution of the Inquiry or Consideration of the Proposal.

Form of Reports.

XCI. The Masters Reports shall be divided into Paragraphs numbered consecutively, and respectively confined, as nearly as may be, to distinct Portions of the Subject Matter, and with such appropriate Headings prefixed to all or any of the Paragraphs as may be convenient.

Reports to be filed with Registrar in Lunacy only.

XCII. The Reports of the Masters, whether confirmed by Fiat or not, under the Provisions herein-after contained, and their Certificates, and all other Reports and Certificates made in Matters in Lunacy, (except the Reports of the Visitors herein-after provided for,) shall be left by the Masters, Taxing Masters, and other Officers making the same respectively, with the Registrar in Lunacy, by whom the same shall be filed, and it shall not be necessary that they or any of them should be filed elsewhere; and the Accountant General of the Court of Chancery, and all other Persons,

sons, and the Governor and Company of the Bank of *England*, shall, as Occasion may require, act upon or in relation to any Report, and the Fiat thereon (if any), or any Certificate so filed, in like Manner as if the Report or Certificate had been filed also in the Report Office of the Court of Chancery, according to the Practice formerly used.

Objections to Report may be brought in.

XCIII. Any Person objecting to a Draft Report of the Masters, and desiring to prosecute the Objection, shall bring in before the Masters a Statement of Objections in Writing, and thereupon the Masters shall be at liberty to review the Draft objected to; and after Review, or the Refusal of the Masters to review, the Person objecting may bring in before the Masters a Notice in Writing, stating that he insists on the Objections or any One or more of them; and all the Objections not so insisted on shall be considered as abandoned.

No Petition against Confirmation, but Objections to be brought forward on Petition for Confirmation.

XCIV. No Person shall, except upon special Leave of the Lord Chancellor intrusted as aforesaid first obtained, present a Petition against the Confirmation of a Report, but in every Case, on the Hearing of the Petition for Confirmation of the Report, any Objections insisted on as aforesaid may be brought forward in opposition to the Confirmation of the Report, without any Exceptions or Cross Petition.

Reports not objected to may be confirmed without Petition.

XCV. Where no Statement of Objections is brought in, or all the Objections contained in a Statement brought in are abandoned, the Report shall be submitted to the Lord Chancellor intrusted as aforesaid, for Confirmation, without Petition, and without the Attendance of Parties, except where from the special Nature or Circumstances of the Case the Masters are of opinion that the Report ought to be brought before the Lord Chancellor intrusted as aforesaid by Petition, and by Endorsement on the Report under their Hands shall so direct accordingly.

Such Reports to contain consequential Directions, and Fiat of Lord Chancellor to give them Operation of Orders.

XCVI. Where a Report is to be submitted for Confirmation without Petition it shall contain the Directions consequential on the Confirmation thereof, and the Fiat of the Lord Chancellor intrusted as aforesaid on the Report shall give it the Operation of an Order of the Lord Chancellor intrusted as aforesaid, made upon Petition, subject to such other Directions and Provisions (if any) as the Lord Chancellor intrusted as aforesaid may think fit.

Cases in which Reports shall not be confirmed without Petition.

XCVII. The Reports of the Masters shall be brought before the Lord Chancellor intrusted as aforesaid, for Confirmation, by Petition, in each of the Cases following:—

1. Where

1. Where the Lord Chancellor intrusted as aforesaid, on referring a Matter to the Masters to inquire and report, so directs;
2. Where a Statement of Objections is brought in, and all the Objections are not abandoned;
3. Where the Masters, having regard to the special Nature or Circumstances of the Case, as herein-before provided, so direct;
4. Where no Order is made on the Report being submitted for Confirmation without Petition;

And in such other Cases as are herein mentioned, and as the Lord Chancellor, with the Advice and Assistance aforesaid, shall from Time to Time by General Order direct.

Orders.

And with respect to Orders in Lunacy, be it further enacted as follows:

Form of Orders.

XCVIII. Every Petition shall be filed before an Order thereon shall be passed, and the Order shall not recite any Part of the Statements contained in the Petition, and only such Part (if any) of the Prayer as may be necessary, and an Order shall not state any Part of a Report, except the Masters Conclusion or Opinion, or so much thereof as may be necessary; and the Lord Chancellor, with the Advice and Assistance aforesaid, may and shall from Time to Time make such General Orders as to him shall seem meet for embodying (as far as may be) such Provisions and Directions as are now commonly or frequently inserted in Orders, and are not provided for by this Act, and for dispensing (as far as may be) with the formal Parts of Orders as now drawn up.

Orders to be communicated to Masters.

XCIX. Every Order of the Lord Chancellor intrusted as aforesaid in a Matter in Lunacy shall be communicated by the Registrar to the Masters, whether any Matter is thereby referred to them or not.

Orders to be entered by the Registrar, and Office Copies to be furnished and signed by him.

C. Every Order made in a Matter in Lunacy by the Lord Chancellor intrusted as aforesaid, when drawn up by the Registrar in Lunacy, and signed by the Lord Chancellor intrusted as aforesaid, shall be entered by the Registrar in Lunacy in a proper Book to be provided by him for that Purpose, and he shall furnish Office Copies of any Order or of any Report, confirmed by Fiat, or of any Part thereof respectively, signed by him, and sealed or stamped with the Seal of his Office, to every Party in the Matter or other Person entitled thereto who shall require the same; and every Office Copy of the whole of an Order or Report confirmed as aforesaid, purporting to be so signed and sealed or stamped with such Seal, shall at all Times, and on behalf of all Persons, and whether for the Purposes

poses of this Act or otherwise, be admitted as Evidence of the Order or Report confirmed as aforesaid of which it purports to be a Copy, without any further Proof thereof.

Money Orders to be acted upon by Accountant General as if drawn up by the Registrar of the Court of Chancery.

CI. Where an Order or a Report confirmed by Fiat relates to the Payment, Transfer, carrying over, or depositing of any Cash, Stocks, Funds, Annuities, Securities, or other Effects to or into the Name of or in the Custody of the Accountant General of the Court of Chancery, to the Credit of the Matter of a Lunatic, or to the Payment, Transfer, or carrying over or other Disposal by the said Accountant General of any Cash, Stocks, Funds, Annuities, Securities, or other Effects standing in his Name or deposited in his Custody to the Credit of the Matter of a Lunatic, or of any Cash, Stocks, Funds, Annuities, Securities, or other Effects to or in which a Lunatic is entitled or beneficially interested, and which are not standing in trust in a Cause or Matter depending in the Court of Chancery, the said Accountant General, and all other Persons, and the Governor and Company of the Bank of *England*, shall act upon the Order signed by the Lord Chancellor intrusted as aforesaid, after the same has been entered as herein-before provided, or upon an Office Copy of the Report confirmed by Fiat, and thence receiving the Operation of an Order after the same has been filed as herein-before provided, in the same Manner as if an Order had been drawn up by the Registrar of the Court of Chancery, and passed and entered in the Court of Chancery according to the Practice formerly used; and the Registrar in Lunacy in case of an Order, and the Masters in case of a Report confirmed by Fiat, shall certify under their Hands respectively to the said Accountant General what Stocks, Funds, Annuities, Securities, or other Effects are by virtue of any such Order or Report confirmed as aforesaid (as the Case may be) to be sold, transferred, or delivered out, in the same Manner as the Registrars of the Court of Chancery were formerly accustomed to do.

Registrar to certify to Accountant General.

Persons forging the Signature or Seal of the Registrar guilty of Felony.

CII. If any Person shall forge the Signature of the Registrar in Lunacy, or shall forge or counterfeit the Seal of his Office, or knowingly concur in using any such forged or counterfeited Signature or Seal, or shall tender in Evidence any Document with a false or counterfeit Signature of such Registrar, or with a false or counterfeit Seal, knowing the same Signature or Seal to be false or counterfeit, every such Person shall be guilty of Felony, and shall be liable to the same Punishment as any Offender under an Act of the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her Majesty, Chapter One hundred and thirteen.

CIII. The

These Provisions to apply to Cases under 8 & 9 Vict. c. 100. s. 95.

CIII. The foregoing Provisions "with respect to certain of the Proceedings after Inquisition," and "with respect to Orders," shall be applicable and applied, as far as may be, to the Proceedings in the Matters of Lunatics under the Protection of the Lord Chancellor intrusted as aforesaid, by virtue of Proceedings taken under the Act of the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her Majesty, Chapter One hundred, Section Ninety-five.

Visiting.

And with respect to the visiting of Lunatics, be it further enacted as follows:

Lunatics to be visited at least once a Year.

CIV. Each Lunatic shall be personally visited and seen by One at the least of the Visitors, according to the Provisions of the next following Section, once at the least in each Year, or oftener, and at such Times as the Lord Chancellor intrusted as aforesaid may direct, or, in the Absence of his Directions, as the Board of Visitors may think expedient.

Medical Visitors and future Legal Visitors to visit either together or in succession.

CV. The Medical Visitors shall continue to visit Lunatics as at present, and the Legal Visitors to be appointed after the Commencement of this Act shall also respectively visit Lunatics; and the Visits of the several Visitors shall be from Time to Time regulated as the Lord Chancellor intrusted as aforesaid may direct, or, in the Absence of his Directions, as the Board of Visitors may deem necessary or advisable, in such Manner that, as far as Circumstances will admit, every Lunatic may from Time to Time and in due Succession be visited by the Legal Visitor either alone or in Company with One of the Medical Visitors.

Visitors to report to Lord Chancellor.

CVI. The Visitors shall respectively, within a convenient Time after each Visit, make a Report in Writing to the Lord Chancellor intrusted as aforesaid of the State of Mind and bodily Health and of the general Condition and also of the Care and Treatment of each Person visited and seen by them respectively, which Reports shall, annually or oftener, as the Lord Chancellor intrusted as aforesaid may direct or the Board of Visitors may think expedient, be submitted to the Lord Chancellor intrusted as aforesaid; and the Visitors respectively shall make separate or special Reports on any Case to the Lord Chancellor intrusted as aforesaid as and when they or the Board of Visitors may think expedient, and in particular shall report to him, without Delay, any Instance in which they respectively, on proceeding to visit, have been unable to discover the then Residence of or have been by any other Circumstance prevented from actually seeing on that Occasion the Lunatic whom they intended to visit.

Visitors Reports to be kept

CVII. The Reports of the Visitors shall be filed and kept secret in their Office, and shall be open to the Inspection of no Person save the Members

Members of the Board of Visitors, their Secretary and his Clerk, and the Lord Chancellor intrusted as aforesaid, and such Persons as he may specially appoint; and all the Reports relating to any particular Patient shall be destroyed on the Death of the Patient, and shall also be destroyed on the Inquisition in his Case being superseded, or being vacated and discharged on a Traverse, unless the Lord Chancellor intrusted as aforesaid, within Fourteen Days after the Supersedeas, or the vacating and Discharge on a Traverse, specially order that the same be not destroyed until the Death.

secret, and destroyed on Death, &c.

Management and Administration of Estate.

And with respect to the Management and Administration of the Estates of Lunatics, be it further enacted as follows:

Committee to appear and take Admittance to Copyholds.

CVIII. Where a Lunatic is entitled to be admitted Tenant of Copyhold Land, the Committee of his Estate may appear at One of the Three next Courts holden for the Manor (for the holding whereof the usual Notice shall be given), and there offer himself to be admitted Tenant in the Name and on behalf of the Lunatic; and in default of his Appearance, or of his Acceptance of Admittance, the Lord or his Steward may, after Three Courts duly holden, and Proclamations thereat regularly made, at any subsequent Court appoint any fit Person to be Attorney for the Lunatic for that Purpose only, and by that Attorney admit the Lunatic Tenant of the Land, according to such Estate as the Lunatic shall be legally entitled to therein.

In default, Lord may appoint Attorney to take Admittance.

Fine upon Admittance may be imposed and demanded.

CIX. The Lord or his Steward may upon the Admittance impose such Fine as might have been legally imposed if the Lunatic had been of sound Mind, which Fine may be demanded by the Lord's Bailiff or Agent, by a Note in Writing signed by the Lord or his Steward, to be left with the Committee of the Estate, or with the Tenant or Occupier of the Land.

If not paid, &c., Lord may enter, and receive Profits of the Copyhold till he is satisfied, &c.

CX. If the Fine be not paid or tendered to the Lord or his Steward within Three Months after Demand, then the Lord may enter upon and hold the Land, and receive the Rents and Profits thereof, (but without Liberty to fell any Timber standing thereon,) until he be thereby fully paid the Fine, with his reasonable Costs and Charges of raising the same, and of obtaining the Possession of the Land, although the Lunatic die before the Fine and Costs and Charges have been raised; of which Rents and Profits received by the Lord, his Steward, Bailiff, or Servant, the Lord shall yearly, on Demand by the Person entitled to the Surplus thereof, after Payment of the Fine and Costs and Charges, or by the Person then entitled to the Land, render a just and true Account, and shall pay the same Surplus, if any, to the Person entitled thereto; and as soon as the Fine and Costs and Charges have been fully paid, or if, after the

Lord to account yearly.

the Lord's Entry, the Fine and Costs and Charges be lawfully tendered to him, then the Lunatic, by the Committee of his Estate or other the Person entitled, may enter upon and hold the Land, according to his Estate or Interest therein; and the Lord shall deliver Possession thereof accordingly, and if he refuse so to do he shall make Satisfaction to the Person kept out of Possession for all the Damages which he shall thereby sustain, and all his Costs and Charges of recovering Possession.

and to deliver up Possession, on Satisfaction.

Committee paying Fine may reimburse himself out of Rents.

CXI. If the Committee pay the Fine and Costs and Charges, then he, his Executors and Administrators, may enter upon and hold the Land, and receive the Rents and Profits thereof to his and their own Use, until he and they be thereby fully paid the Amount disbursed upon that Account, although the Lunatic die before his and their Reimbursement.

Unlawful Fines may be controverted. No Forfeiture for not appearing or not paying Fine.

CXII. If the Fine imposed be not warranted by the Custom of the Manor, or be unlawful, the Lunatic may controvert its Legality, as if this Act had not been made; and no Lunatic shall forfeit any Land for his Neglect or Refusal to appear at any Court, or to be admitted thereto, or to pay the Fine imposed upon his Admittance.

Committee may surrender Lease, and accept Renewal.

CXIII. Where a Lunatic is entitled to a Lease for a Life or Lives or for a Term of Years, either absolute or determinable on a Death, or otherwise, the Committee of his Estate may, in his Name and on his Behalf, under an Order of the Lord Chancellor intrusted as aforesaid, by Deed surrender the Lease, and in the Name and on behalf and for the Benefit of the Lunatic accept a new Lease of the Premises comprised in the Lease surrendered, for such Number of Lives, or for such Term of Years, either absolute or determinable as aforesaid, as was mentioned or contained in the Lease surrendered at the making thereof, or otherwise as the Lord Chancellor intrusted as aforesaid shall order.

Charges of Renewal to be charged on Estates.

CXIV. Every Sum of Money and other Consideration paid by a Committee or other Person, in the Nature of or as a Fine, Premium, or Income upon Renewal, and all reasonable Charges incident thereto, may be paid out of the Lunatic's Estate, or may, with Interest, be a Charge upon the Leasehold Premises, as the Lord Chancellor intrusted as aforesaid shall order.

New Leases to be to the same Uses.

CXV. Every Lease renewed shall operate and be to the same Uses, and be liable to the same Trusts, Charges, Incumbrances, Dispositions, Devises, and Conditions, as the Lease surrendered was subject

subject to, or would have been subject to if the Surrender had not been made.

Lunatic's Property may be sold, mortgaged, &c. for Debts, Maintenance, &c.

CXVI. Where it appears to the Lord Chancellor intrusted as aforesaid to be just and reasonable, or for the Lunatic's Benefit, he may order that any Estate or Interest of the Lunatic in Land or Stock, either in possession, reversion, remainder, contingency, or expectancy, be sold, or charged by way of Mortgage, or otherwise disposed of, as may to him seem most expedient, for the Purpose of raising Money to be applied, and may accordingly order that the Money when raised be applied, for or towards all or any of the Purposes following:

1. The Payment of the Lunatic's Debts or Engagements;
2. The Discharge of any Incumbrance on his Estates;
3. The Payment of any Debt or Expenditure incurred or made after Inquisition, or authorized by the Lord Chancellor intrusted as aforesaid to be incurred or made, for the Lunatic's Maintenance or otherwise for his Benefit;
4. The Payment of or Provision for the Expenses of his future Maintenance;
5. The Payment of the Costs of applying for, obtaining, and executing the Inquiry, and of opposing the same;
6. The Payment of the Costs of any Proceeding under or consequent on the Inquisition, or incurred under Order of the Lord Chancellor intrusted as aforesaid; and,
7. The Payment of the Costs of any such Sale, Mortgage, Charge, or other Disposition as is hereby authorized to be made:

And the Committee of the Estate may and shall, in the Name and on behalf of the Lunatic, execute, make, and do all such Conveyances, Deeds, Transfers, and Things relative to any such Sale, Mortgage, Charge, or other Disposition as aforesaid, and for effectuating this present Provision, as the Lord Chancellor intrusted as aforesaid shall order.

Modes in which future Maintenance may be charged when Interest not in possession.

CXVII. In case of a Charge or Mortgage being made under this Act upon an Interest in contingency, or in reversion, remainder, or expectancy, for the Expenses of future Maintenance, the Lord Chancellor intrusted as aforesaid may direct the same to be payable and paid either contingently, if the Interest charged be a contingent one, or upon the happening of the Event, if the Interest be depending on an Event which must happen, and either in a gross Sum or in annual or other periodical Sums, and at such Times, in such Manner, and either with or without Interest, as he shall deem expedient; and any Charge already made which would have been valid if made after this Act shall be and is hereby declared to be valid.

CXVIII. Where

Expenses of Improvements may be charged on Estate.

CXVIII. Where it appears to the Lord Chancellor intrusted as aforesaid to be for the Lunatic's Benefit, he may order that the whole or any Part of any Monies expended or to be expended under his Order for the permanent Improvement, Security, or Advantage of the Land of the Lunatic or of any particular Part thereof, shall, with Interest, be a Charge upon and be raiseable out of the Lunatic's Estate and Interest in the Land or such particular Part thereof as aforesaid, but so that no Right of Sale or Foreclosure during the Lifetime of the Lunatic be given or acquired under or by virtue of the Charge; and the Interest shall be kept down during the Lunatic's Lifetime, out of the Income of his general Estate, as far as the same shall be sufficient to bear it; and the Committee of the Estate may and shall, in the Name and on behalf of the Lunatic, execute and do all such Conveyances and Things for effectuating this present Provision as the Lord Chancellor intrusted as aforesaid shall order; and such Charge may be made either to some Person advancing the Money, or if the Money is paid out of the Lunatic's general Property, to some Person as a Trustee for him, as Part of his Personal Estate.

Surplus of Monies to be of the same Nature as the Estate.

CXIX. On any Monies being raised by Sale, Mortgage, Charge, or other Disposition of Land made in pursuance of any of the foregoing Provisions, the Person whose Estate is sold, mortgaged, charged, or otherwise disposed of, and his Heirs, next of Kin, Devisees, Legatees, Executors, Administrators, and Assigns, shall have such and the like Interest in the surplus Monies remaining after the Purposes for which the Monies have been raised shall have been answered as he or they would have had in the Estate if no Sale, Mortgage, Charge, or other Disposition thereof had been made, and the surplus Monies shall be of the same Nature and Character as the Estate sold, mortgaged, charged, or otherwise disposed of; and the Lord Chancellor intrusted as aforesaid may make such Orders, and direct such Conveyances, Deeds, and Things to be executed and done (which may and shall accordingly be executed and done), as may be necessary for the effectuating this present Provision, and for the due Application of the surplus Monies.

Where Property very small, Lord Chancellor may apply same directly for Lunatic's Maintenance, without Grant, &c.

CXX. Where it is made to appear to the Lord Chancellor intrusted as aforesaid that the net Amount or net estimated Value of the Property of a Lunatic does not exceed the Sum of Five hundred Pounds Sterling, and it appears to him, having regard to the Situation and Condition in Life of the Lunatic and his Family, and the other Circumstances of the Case, to be expedient that the Amount or Value of his Property should be made available for his Maintenance in a direct and inexpensive Manner, and that the same can be safely and properly done, he may, instead of proceeding to order a Grant of the Custody

Custody of the Estate, order or allow that the Amount of the Property, if in Money or Stock, or if of any other Description the Produce thereof when realized, be paid or transferred to such Relative of the Lunatic, or such other Person as he may think proper to intrust with the Application thereof, to be by him applied in or towards the Maintenance of the Lunatic, either at his Discretion or in such Manner and subject to such Control as the Lord Chancellor intrusted as aforesaid may direct; and for the Purpose of giving effect to any such Order, the Lord Chancellor intrusted as aforesaid may order any small Real Estate or other Property of the Lunatic to be sold, and a valid Conveyance or Transfer thereof to be executed or made by such Person as he shall direct.

Where Lunacy temporary, Lord Chancellor may apply Cash arising from Income for temporary Maintenance, without Grant, &c.

CXXI. Where it appears to the Lord Chancellor intrusted as aforesaid, upon a Report of the Masters, that there is Reason to believe that the Unsoundness of Mind of any Lunatic so found by Inquisition is in its Nature temporary, and will probably be soon removed, and that it is expedient that temporary Provision should be made for the Maintenance of the Lunatic, or of the Lunatic and the Members of his immediate Family who are dependent upon him for Maintenance, and that any Sum of Money arising from or being in the Nature of Income or of ready Money belonging to the Lunatic, and standing to his Account with a Banker or Agent, or being in the Hands of any Person for his Use, is readily available and may be safely and properly applied in that Behalf, the Lord Chancellor intrusted as aforesaid may allow thereout such Amount as he may think proper for the temporary Maintenance of the Lunatic, or of the Lunatic and the Members of his immediate Family who are dependent upon him for Maintenance, and may, instead of proceeding to order a Grant of the Custody of the Estate, order or give Liberty for the Payment of any such Sum of Money as aforesaid, or any Part thereof, to such Person as he may, under the Circumstances of the Case, think proper to intrust with the Application thereof, and may direct the same to be paid to such Person accordingly, and when received to be applied, and the same shall accordingly be applied, in or towards such temporary Maintenance as aforesaid; and the Receipts in Writing of the Person named in the Order to whom Payment is to be made for any Monies payable to him by virtue thereof shall effectually discharge the Banker, Agent, or other Person paying the same from the Monies therein respectively expressed to be received, and they respectively are hereby directed to act upon and obey every such Order; and the Person so receiving any Monies by virtue of this present Provision shall pass an Account thereof before the Masters, when required.

Committee may convey Land in Performance of Contracts.

CXXII. Where a Person having contracted to sell, mortgage, let, divide, exchange, or otherwise dispose of any Land afterwards becomes Lunatic, and the Contract is not disputed, and is such as the Lord Chancellor intrusted as aforesaid thinks ought to be performed, or a specific Performance of the Contract, either wholly or so far as the same remains to be performed, has been decreed or ordered by the Court of Chancery, either before or after the Lunacy, the Committee of the Estate may, in the Name and on behalf of the Lunatic, under an Order of the Lord Chancellor intrusted as aforesaid, on the Application of the Party claiming the Benefit of the Contract with the Lunatic, or any Plaintiff in the Suit, receive and give an effectual Discharge for the Money payable to the Lunatic, or so much thereof as remains unpaid, and make such Conveyance of the Land to such Person and in such Manner as the Lord Chancellor intrusted as aforesaid may order.

Lord Chancellor may dissolve Partnership, and Committee may convey Partnership Property.

CXXIII. Where a Person, being a Member of a Copartnership Firm, becomes Lunatic, the Lord Chancellor intrusted as aforesaid may, by Order made on the Application of the Partner or Partners of the Lunatic, or of such other Person or Persons as the Lord Chancellor intrusted as aforesaid shall think entitled to require the same, dissolve the Partnership; and thereupon, or upon a Dissolution of the Partnership by Decree of the Court of Chancery, or otherwise by due Course of Law, the Committee of the Estate, in the Name and on behalf of the Lunatic, may join and concur with such other Person or Persons in disposing of the Partnership Property, as well real as personal, to such Persons, upon such Terms, and in such Manner, and may and shall execute and do such Conveyances and Things for effectuating this present Provision, and apply the Monies payable to the Lunatic in respect of his Share and Interest in the Copartnership, in such Manner as the Lord Chancellor intrusted as aforesaid shall order.

Committee may make Sale, Partition, or Exchange.

CXXIV. Where a Lunatic is seised of or entitled to an undivided Share of Land, and it appears to the Lord Chancellor intrusted as aforesaid to be for his Benefit and to be expedient that a Sale of the Land, or Part thereof, or a Partition of the Land, should be made, and where a Lunatic is seised of or entitled to Land, and it appears to the Lord Chancellor intrusted as aforesaid to be for his Benefit and to be expedient that an Exchange thereof, or of Part thereof, for other Land, should be made, the Committee of the Estate, in the Name and on behalf of the Lunatic, under an Order of the Lord Chancellor intrusted as aforesaid, may concur with such other Person in making such Sale or Partition, or may make such Exchange, and receive such Monies payable on the Sale, and give

or

or receive such Monies for Equality of Partition or Exchange, or otherwise in relation thereto, as the Order may direct; and all Monies received by the Committee of the Estate upon any such Sale, Partition, or Exchange as aforesaid shall be applied and disposed of in manner directed in Section One hundred and thirty-five of this Act respecting the Fines, Premiums, and Sums of Money therein mentioned; and the Land taken in Exchange shall be held and assured (as nearly as may be) to the same Uses, and upon the same Trusts, and subject to the same Powers and Provisions (if any), to, upon, and subject to which the Land given in Exchange was held; and the Committee of the Estate may and shall, in the Name and on behalf of the Lunatic, execute and do allsuch Conveyances and Things for effectuating this present Provision as the Lord Chancellor intrusted as aforesaid shall order.

Committee may sell Land for Building Purposes.

CXXV. Where a Lunatic is seised of or entitled to Land in Fee Simple, and it appears to the Lord Chancellor intrusted as aforesaid to be for his Benefit that the same or any Part thereof should be made available for Building Purposes, and that to that end the same should, in lieu of being demised for long Terms of Years, be absolutely sold, he may order the same to be sold accordingly, to such Persons, in such Quantities, upon such Terms, and in such Manner as to him may seem expedient, and the Monies arising thereby shall be applied and disposed of in manner directed in Section One hundred and thirty-two of this Act respecting the surplus Monies therein mentioned; and the Committee of the Estate may and shall, in the Name and on behalf of the Lunatic, execute and do all such Conveyances and Things for effectuating this present Provision as the Lord Chancellor intrusted as aforesaid shall order.

Committee may assign Business Premises.

CXXVI. Where a Lunatic has been engaged in a Trade or Business, and it appears to the Lord Chancellor intrusted as aforesaid to be for the Benefit of the Lunatic or his Estate that the Business Premises should be disposed of, the Committee of the Estate may, in the Name and on behalf of the Lunatic, under Order of the Lord Chancellor intrusted as aforesaid, make such Conveyance of the Messuages, Buildings, or Hereditaments of or belonging to the Trade or Business, or used in connexion therewith, according to the Lunatic's Estate and Interest in the same, to such Person, and shall apply the Monies arising thereby in such Manner, as the Lord Chancellor intrusted as aforesaid shall order.

Committee may dispose of undesirable Lease.

CXXVII. Where a Lunatic is entitled to a Lease for a Life or Lives or for a Term of Years, either absolute or determinable on a Death

Death or otherwise, or to an Under-lease, of whatsoever Nature, and it appears to the Lord Chancellor intrusted as aforesaid to be desirable and for the Benefit of the Lunatic or his Estate that the Lease or Under-lease should be disposed of, the Committee of the Estate may, in the Name and on behalf of the Lunatic, under Order of the Lord Chancellor intrusted as aforesaid, surrender, assign, or otherwise dispose of the Lease or Under-lease, to such Person, for such valuable or nominal or other Consideration, upon such Terms, by such Conveyances, and in such Manner, and shall apply the Monies (if any) arising thereby in such Manner, as the Lord Chancellor intrusted as aforesaid shall order.

Committee may make Agreements under 1 G. 4. c. 10.

CXXVIII. The Committee of the Estate of a Lunatic may, with the Approbation of the Lord Chancellor intrusted as aforesaid, signified by Order on the Application of the Committee, enter into any Agreement for or on behalf of the Lunatic which the Guardian of an Infant might have entered into for or on behalf of the Infant by virtue of the Act passed in the Session of Parliament holden in the First Year of the Reign of King *George* the First, Chapter Ten, if so much of that Act as related to Agreements of Guardians for or on behalf of Infants or Idiots under their Guardianship had not been repealed by the Act passed in the Session of Parliament holden in the First Year of the Reign of King *William* the Fourth, Chapter Sixty-five, Section Twenty-five.

Committee may make Building and other Leases, subject to such Covenants as Lord Chancellor shall order.

CXXIX. Where a Lunatic is seised or possessed of or entitled to Land in Fee or in Tail, or to Leasehold Land for an absolute Interest, and it appears to the Lord Chancellor intrusted as aforesaid to be for his Benefit that a Lease or Under-lease should be made thereof for Terms of Years, for encouraging the Erection of Buildings thereon, or for repairing Buildings actually being thereon, or otherwise improving the same, or for farming or other Purposes, the Committee of the Estate may, in the Name and on behalf of the Lunatic, under Order of the Lord Chancellor intrusted as aforesaid, make such Lease of the Land or any Part thereof, according to the Lunatic's Estate and Interest therein, and to the Nature of the Tenure thereof, for such Term or Terms of Years and subject to such Rents and Covenants as the Lord Chancellor intrusted as aforesaid shall order.

Committee may make Leases of Mines already opened.

CXXX. Where a Lunatic is seised or possessed of or entitled to Land in Fee or in Tail, and it appears to the Lord Chancellor intrusted as aforesaid to be for his Benefit that any Mine or Quarry already opened in, upon, or under the Land should be worked, the Committee of

of the Estate may, in the Name and on behalf of the Lunatic, under Order of the Lord Chancellor intrusted as aforesaid, make such Lease of the Mines, Quarries, Minerals, Stones, and Substances, in, upon, or under the Land, either with or without any Land convenient to be held therewith, and with or without the Surface, to such Person, for such Term or Terms of Years, and subject to such Rents, Royalties, Reservations, Covenants, and Agreements, and in such Manner and Form, as the Lord Chancellor intrusted as aforesaid shall order.

Committee may, where necessary for Maintenance of Lunatic, or expedient, make Leases of Mines unopened.

CXXXI. Where a Lunatic is seised or possessed of or entitled to Land in Fee or in Tail, and it appears to the Lord Chancellor intrusted as aforesaid either to be necessary for the Maintenance of the Lunatic and the Members of his immediate Family for whom Provision is directed to be made, or to be expedient in a due Course of Management, that any Mine or Quarry, being in, upon, or under the Land, should be opened and worked, the Committee of the Estate may, in the Name and on behalf of the Lunatic, under Order of the Lord Chancellor intrusted as aforesaid, make such Lease of the Mines, Quarries, Minerals, Stones, and Substances in, upon, or under the Land, although not already opened or worked, and either with or without any Land convenient to be held therewith, and with or without the Surface, to such Person, for such Term or Terms of Years, and subject to such Rents, Royalties, Reservations, Covenants, and Agreements, and in such Manner and Form, as the Lord Chancellor intrusted as aforesaid shall order.

Produce of newly-opened Mines, where necessary for Lunatic's Maintenance, to be so applied; otherwise to be carried to separate Account, and be considered Real Estate.

CXXXII. Where the Lord Chancellor intrusted as aforesaid makes any such Order as in and by the last preceding Section is authorized to be made, by reason of its appearing to him to be necessary for the Maintenance of the Lunatic and such Members of his immediate Family as aforesaid, that the Mine or Quarry should be opened and worked, then the Monies arising thereby shall be applied in or towards such Maintenance as aforesaid, in such Manner as the Lord Chancellor intrusted as aforesaid shall direct; but in such Case the Surplus thereof, and in every other Case all the Monies so arising, shall be carried to a separate Account, and may be applied for or towards all or any of the Purposes for which Monies are herein-before authorized to be raised by Sale of the Lunatic's Estate, or in such other Manner for the Lunatic's Benefit as the Lord Chancellor intrusted as aforesaid shall direct; and upon the Lunatic's Death the Monies remaining on the Credit of such separate Account shall, as between the Representatives of his Real and of his Personal Estate, be considered as Real Estate.

 CXXXIII. Where

Committee may execute leasing Powers of Lunatic having limited Estate.

CXXXIII. Where a Lunatic has a limited Estate only in Land, and any Power whatsoever of leasing the same is vested in him, the Committee of his Estate may and shall from Time to Time, in the Name and on behalf of the Lunatic, under Order of the Lord Chancellor intrusted as aforesaid, execute the Power, to such Extent and in such Manner as the Order shall direct; and all Fines, Premiums, and Sums of Money (if any) received for or upon the granting of any Lease under this present Provision shall be applied and disposed of in manner directed in Section One hundred and thirty-five of this Act respecting the Fines, Premiums, and Sums of Money therein mentioned.

Committee may accept Surrender, and make new Lease.

CXXXIV. Where a Lunatic is entitled or has a Right to renew, and either it would be for his Benefit to renew, or he might, in pursuance of any Covenant or Agreement, if not under Disability, be compelled to renew, a Lease made for a Life or Lives, or for a Term of Years, either absolute or determinable on a Death or otherwise, the Committee of his Estate may, in his Name, under an Order of the Lord Chancellor intrusted as aforesaid, upon the Application of the Committee, or of any Person entitled to the Renewal, accept a Surrender of the Lease, and make and execute a new Lease, of the Premises comprised in the Lease surrendered, for such Number of Lives, or for such Term or Terms of Years determinable upon such Number of Lives, or for such Term or Terms of Years absolute, as was or were mentioned or contained in the Lease surrendered at the making thereof, or otherwise as the Lord Chancellor intrusted as aforesaid shall order, but so that no renewed Lease be executed by virtue of this Act, in pursuance of any Covenant or Agreement, unless the Fine (if any) or such other Sum of Money (if any) as ought to be paid on Renewal, and such Things (if any) as ought to be performed in pursuance of the Covenant or Agreement by the Lessee or Tenant, be first paid and performed, and a Counterpart be duly executed by the Lessee.

Fines, how to be paid.

CXXXV. All Fines, Premiums, and Sums of Money received upon Renewal shall, after Deduction of all necessary incidental Charges and Expenses, be paid to the Committee of the Estate, and be applied for the Lunatic's Benefit as the Lord Chancellor intrusted as aforesaid shall order; but upon the Lunatic's Death all such Monies as have arisen by such Fines, Premiums, or Sums of Money, or so much thereof as then remains unapplied for his Benefit, shall, as between the Representatives of his Real and of his Personal Estate, be considered as Real Estate, unless the Lunatic be Tenant for Life only, and then the same shall be considered as Personal Estate.

On Death of Lunatic, Quality of Money arising by Fines.

CXXXVI. Where

CXXXVI. Where a Power is vested in a Lunatic for his own Benefit, or the Consent of a Lunatic is necessary to the Exercise of a Power, and such Power of Consent is in the Nature of a beneficial Interest in the Lunatic, and it appears to the Lord Chancellor intrusted as aforesaid to be for the Lunatic's Benefit, and also to be expedient, that the Power should be exercised or the Consent given (as the Case may be), the Committee of the Estate may, in the Name and on behalf of the Lunatic, under an Order of the Lord Chancellor intrusted as aforesaid, made upon the Application of the Committee of the Estate, exercise the Power or give the Consent, as the Case may be, in such Manner as the Order shall direct.

Committee may exercise Power vested in Lunatic for his own Benefit, or giveConsent.

CXXXVII. Where a Power is vested in a Lunatic in the Character of Trustee or Guardian, or the Consent of a Lunatic to the Exercise of a Power is necessary in the like Character, or as a Check upon the undue Exercise of the Power, and it appears to the Lord Chancellor intrusted as aforesaid to be fit and expedient that the Power should be exercised or the Consent given (as the Case may be), the Committee of the Estate, in the Name and on behalf of the Lunatic, under an Order of the Lord Chancellor intrusted as aforesaid, made upon the Application of any Person interested in the Exercise of the Power, may exercise the Power or give the Consent, as the Case may be, in such Manner as the Order shall direct.

Committee may exercise Power vested in Lunatic in Character of Trustee or Guardian, &c.

CXXXVIII. Where under this Act the Committee of the Estate, under Order of the Lord Chancellor intrusted as aforesaid, exercises, in the Name and on behalf of the Lunatic, a Power of appointing new Trustees vested in the Lunatic, the Person or Persons who shall, after and in consequence of the Exercise of the Power, be the Trustee or Trustees, shall have all the same Rights and Powers as he or they would have had if the Order had also been made by the Court of Chancery, under the Trustee Act, 1850, or any Act amending the same, or if he or they had been appointed by Decree of that Court in a Suit duly instituted; and the Lord Chancellor intrusted as aforesaid may in any such Case, where it seems to him to be for the Lunatic's Benefit, and also expedient, make any and every such Order respecting the Land or Stock or Choses in Action subject to the Trust as might have been made in the same Case under the Provisions of the Trustee Act, 1850, or any Act amending the same, on the Appointment thereunder of a new Trustee or new Trustees.

Appointment of new Trustees under Power to have Effect of Appointments by Court of Chancery, and like Orders may be made as under Trustee Act, 1850.

CXXXIX. Every Surrender, Lease, Agreement, Deed, Conveyance, Mortgage, or other Disposition granted, accepted, made, or executed by

Deeds, &c. executed under this

Act to be as valid as if Lunatic had been of sound Mind.

by virtue of this Act shall be as valid and legal to all Intents and Purposes as if the Person in whose Name or Place or on whose Behalf the same was granted, accepted, made, or executed had been of sound Mind, and had granted, accepted, made, or executed the same.

Stock belonging to Lunatic may be ordered to be transferred.

CXL. Where any Stock is standing in the Name of or is vested in a Lunatic beneficially entitled thereto, or is standing in the Name of or vested in a Committee of the Estate of a Lunatic, in trust for the Lunatic, or as Part of his Property, and the Committee dies intestate, or himself becomes lunatic, or is out of the Jurisdiction of or not amenable to the Process of the Court of Chancery, or it is uncertain whether the Committee be living or dead, or he neglects or refuses to transfer the Stock, and to receive and pay over the Dividends thereof, to a new Committee, or as he directs, for the Space of Fourteen Days next after a Request in Writing for that Purpose made by a new Committee, then the Lord Chancellor intrusted as aforesaid may order some fit Person to transfer the Stock to or into the Name of a new Committee, or into the Name of the Accountant General of the Court of Chancery, or otherwise, and also to receive and pay over the Dividends thereof, or such Sum or Sums of Money and in such Manner as the Lord Chancellor intrusted as aforesaid may order.

Stock in Name of Lunatic residing out of England and Wales may be ordered to be transferred.

CXLI. Where any Stock, or any Portion of the Capital Stock, or any Share of any Company or Society, whether transferable in Books or otherwise, is standing in the Name of or vested in a Person residing out of *England* and *Wales*, the Lord Chancellor intrusted as aforesaid, upon Proof to his Satisfaction that the Person has been declared idiot, lunatic, or of unsound Mind, and that his Personal Estate has been vested in a Curator or other Person appointed for the Management thereof, according to the Laws of the Place where he is residing, may order some fit Person to make such Transfer of the Stock, or such Portion of the Capital Stock or Share as aforesaid, or any Part or Parts thereof respectively, to or into the Name of the Curator or other Person appointed as aforesaid, or otherwise, and also to receive and pay over the Dividends thereof, as the Lord Chancellor intrusted as aforesaid may think fit.

Who shall be appointed to make Transfer.

CXLII. Where an Order is made under this Act for the Transfer of Stock, the Person to be named in the Order for making the Transfer shall be some proper Officer of the Company or Society in whose Books the Transfer is to be made; and where the Transfer is to be made in Books kept by the Governor and Company of the Bank of *England*,

England, the Officer to be named shall be the Secretary or Deputy Secretary, or Accountant General or Deputy Accountant General for the Time being, of the said Governor and Company.

CXLIII. All Transfers and Payments made in pursuance of this Act shall be valid and binding to all Intents and upon all Persons whomsoever. Transfers, &c. to be binding.

CXLIV. This Act shall be a full Indemnity and Discharge to the Governor and Company of the Bank of *England*, their Officers and Servants, and all other Persons respectively, for all Acts and Things done or permitted to be done pursuant thereto, which Acts and Things respectively shall not be questioned or impeached in any Court of Law or Equity to their Detriment. Indemnity to Bank of England, &c.

CXLV. The Lord Chancellor intrusted as aforesaid may order the Costs and Expenses of and relating to the Petitions, Applications, Orders, Directions, Conveyances, and Transfers to be made in pursuance of this Act, or any of them, to be paid and raised out of or from the Land or Stock, or the Rents or Dividends in respect of which the same respectively shall be made, in such Manner as he may think proper. Costs may be paid out of Estate.

CXLVI. Nothing in this Act contained shall extend to subject any Part of a Lunatic's Property to the Debts or Demands of his Creditors, further or otherwise than as the same is now subject thereto by due Course of Law. Act not to subject Lunatic's Property to Debts.

CXLVII. The Powers and Authorities given by this Act to the Lord Chancellor intrusted as aforesaid shall extend to all Land and Stock within any of the Dominions, Plantations, and Colonies of Her Majesty (except *Scotland* and *Ireland*). Powers to extend to Colonies, &c.

And with respect to the Traverse of an Inquisition, be it further enacted as follows: *Traverse.*

CXLVIII. Any Person desiring to traverse may, within the Three Months next after the Day of the Return of the Inquisition, present a Petition for that Purpose to the Lord Chancellor intrusted as aforesaid, who is hereby required to hear and determine the Petition, and shall, in his Order upon it for a Traverse, limit a Time, not exceeding Six Months from the Date of the Order, within which the Person desiring to traverse and all other proper Parties are to proceed to Trial of the Traverse, and who may by the same or any other Order direct that the Person desiring to traverse, not being the Person the Petitions for Traverse to be presented within a limited Time.

Object of the Inquisition, shall, within the Three Weeks next after the Date of the Order, give sufficient Security to and to the Satisfaction of the Masters for all proper Parties proceeding to Trial within the Time to be limited as aforesaid.

Persons not petitioning, or not proceeding to Trial within limited Time, barred.

CXLIX. Every Person having Right to traverse who shall not within the Time herein-before limited present his Petition for that Purpose, or who shall refuse or neglect to give such Security as aforesaid, or who shall not proceed to Trial within the Time to be limited as aforesaid, and his Heirs, Executors, and Administrators, and all others claiming by, through, or under him, shall be absolutely barred of his and their Right of Traverse, unless the Lord Chancellor intrusted as aforesaid shall, under the special Circumstances of any particular Case, think fit, upon Petition for that Purpose, to allow the Traverse to be had or tried after the Time by this Act limited, in all which special Cases the Lord Chancellor intrusted as aforesaid may make such Orders as to him shall seem just.

Lord Chancellor may direct new Trials. No Person shall traverse oftener than once.

CL. If the Lord Chancellor intrusted as aforesaid be dissatisfied with the Verdict returned upon a Traverse, he may order One or more new Trial or Trials thereon, as to him shall seem meet, and as is usual in Cases of Issues directed by the Court of Chancery; but no Person shall be admitted to traverse oftener than once.

Lord Chancellor may notwithstanding Traverse, make Orders for Management of Person and Estate.

CLI. The Lord Chancellor intrusted as aforesaid and the Masters may from Time to Time, after the Return of the Inquisition, and notwithstanding a Petition or Order depending relative to a Traverse thereof, make such Orders and do such Acts relative to the Custody and Commitment of the Person, and the Commitment, Management, and Application of the Estates and Effects of the Person, the Object of the Inquisition, as he or they shall think necessary or proper (inclusive of the Imposition and levying of Fees and Per-centage as herein-before provided); and all Things done by any Person appointed Committee of the Person or Estate, or by any other Person, shall be as valid and effectual, and all Committees and other Persons respectively, and their respective Heirs, Executors, and Administrators, are hereby indemnified in respect of all such Things as aforesaid from and against all Actions, Suits, and Proceedings, Damages, Costs, Charges, and Expenses, to be brought, commenced, had, or recovered by the Person the Object of the Inquisition, his Heirs, Executors, or Administrators, or any other Person whomsoever, as fully and effectually as if the Inquisition had not been traversable, but not further or otherwise.

And with respect to the Supersedeas of an Inquisition, be it further enacted as follows:

Supersedeas.

CLII. Where any Person has been found of unsound Mind by Inquisition, but the Question of Unsoundness of Mind is disputed, and Liberty to traverse has been applied for, and whether granted or not, and it appears to the Lord Chancellor intrusted as aforesaid to be for the Lunatic's Benefit and also to be expedient that the Inquisition should be superseded on Terms and Conditions, and subject to an Arrangement respecting the Lunatic's Estate, he may, upon the Consent of the Lunatic and of the Person entitled or claiming to traverse, and of such other Persons, if any, whose Consent he may deem necessary, order the Inquisition to be superseded on such Terms and Conditions to be fulfilled by the Lunatic or such other Person, and subject to such Arrangement respecting the Lunatic's Estate, as he may under the Circumstances of the Case think proper, and may by the same or any other Order direct the Lunatic and any other Persons, being consenting Parties to the Arrangement, to execute, make, and do, before or after the issuing of the Writ of Supersedeas, and he and they shall accordingly execute, make, and do, all such Conveyances, Transfers, and Things as may to the Lord Chancellor intrusted as aforesaid seem necessary or proper for or for securing the Fulfilment of such Terms and Conditions and the Completion of such Arrangement as aforesaid, and generally may make such Orders as to him may seem proper for effectuating this present Provision; and all Conveyances, Transfers, and Things executed, made, and done under any such Order of the Lord Chancellor intrusted as aforesaid, either before or after the issuing of the Writ of Supersedeas, shall be as valid and binding to all Intents and upon all Persons whomsoever as if the Lunatic had not been found or had not been of unsound Mind, but not further or otherwise.

Inquisition may be superseded upon Terms.

And be it declared and further enacted as follows:

General Orders

CLIII. The Lord Chancellor, with the Advice and Assistance aforesaid, may from Time to Time make such Orders as to him shall seem meet for carrying into effect the Purposes of this Act, and for regulating the Form and Mode of Proceeding before and by the Masters and the Practice in Matters in Lunacy, and for regulating the Duties of the several Officers in Lunacy, and, so far as to him may seem expedient, for altering the Course of Proceeding hereinbefore prescribed in respect of the Matters to which this Act relates, or any of them; and any such Order as aforesaid may be from Time to Time rescinded or varied by the like Authority; and every such Order as aforesaid which shall alter the Course of Proceeding herein-

Power to Lord Chancellor to make General Orders.

herein-before prescribed in respect of the Matters to which this Act relates, or any of them, shall be laid before both Houses of Parliament within Fourteen Days after the making thereof, if Parliament be then assembled, and if not then within Fourteen Days after the Meeting of Parliament then next following; and if either House of Parliament shall, by Resolution, passed within Thirty-six Days next after any such Order as aforesaid has been laid before it, resolve that the whole or any Part thereof ought not to continue in force, in that Case the whole Order or the Part of the Order specified in the Resolution (as the Case may be) shall from and after the passing of the Resolution cease to be binding.

The SCHEDULES above referred to.

SCHEDULE I.—(Section I.)

The ACTS REPEALED by this Act, wholly or in part.

Date of Act.	Title of Act.	Extent of Repeal.
6 Geo. 4. c. 53. - [22d June 1825.]	An Act for limiting the Time within which Inquisitions of Lunacy, Idiotcy, and Non compos mentis may be traversed, and for making other Regulations in the Proceedings pending a Traverse.	The whole Act, except so far as it relates to Ireland.
1 Wm. 4. c. 65. - [23d July 1830.]	An Act for consolidating and amending the Laws relating to Property belonging to Infants, Femes Covert, Idiots, Lunatics, and Persons of unsound Mind.	So much of the Act as relates to or affects Idiots, Lunatics, and Persons of unsound Mind, or their Property, except so far as it relates to Ireland, but excluding from this Exception Section 41., which is in Substance re-enacted by this Act.
3 & 4 W. 4. c. 36. [24th July 1833.]	An Act for diminishing the Inconvenience and Expense of Commissions in the Nature of Writs De lunatico inquirendo, and to provide for the better Care and Treatment of Idiots, Lunatics, and Persons of unsound Mind, found such by Inquisition.	The whole Act.
3 & 4 W. 4. c. 84. [28th Aug. 1833.]	An Act to provide for the Performance of the Duties of certain Offices connected with the Court of Chancery which have been abolished.	So much of the Act as relates to the Office or Place of "The Secretary of Lunatics."
5 & 6 Vict. c. 84. - [5th August 1842.]	An Act to alter and amend the Practice and Course of Proceeding under Commissions in the Nature of Writs De lunatico inquirendo.	The whole Act, except Sections 10, 12, and 16, which relate to the Abolition of an Office, and to the Suitors Fee Fund, and to certain Compensations.
15 & 16 Vict. c. 48. [30th June 1852.]	An Act for the Amendment of the Law respecting the Property of Lunatics.	Sections 1, 2, and 3, except so far as the same relate to Ireland.
15 & 16 Vict. c. 87. [1st July 1852.]	An Act for the Relief of the Suitors of the High Court of Chancery.	Sections 14, 30, 31, 32, and 33, all which are in Substance re-enacted by this Act.

SCHEDULE II.—(Section VI.)

The Oath of the Masters.

I , do swear, That I will faithfully, impartially, and honestly, according to the best of my Skill and Knowledge, execute the several Powers and Trusts given to and reposed in me as One of the Masters in Lunacy, and that without Favour or Affection, Prejudice or Malice. So help me GOD.

SCHEDULE III.—(Section LIX.)

Short Form of Affidavit.

In the Matter of *A.B.*, a Person of unsound Mind.

I, *C.D.*, the Petitioner named in the above-written [*or* annexed, *as the Case may be*,] Petition, [*or* the Person bringing in the above-written (*or* annexed) State of Facts, *&c.*] make Oath and say, That so much of the above-written Petition, *&c.* [*as before*] as relates to my own Acts and Deeds is true, and so much thereof as relates to the Acts and Deeds of any and every other Person I believe to be true.

Sworn, *&c.*

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VICTORIÆ REGINÆ.

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may be printed, shall, with reference to any such Paper, Part, or Number as aforesaid, be deemed or taken to be a Sheet of Paper; and it is provided also, that any of the several Papers herein-before described shall be liable to the Duties by the said Act imposed thereon, in whatever Way or Form the same may be printed or folded, or divided into Leaves, or stitched, and whether the same shall be folded, divided, or stitched, or not: And whereas it is expedient to amend the said Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: That from and after the passing of this Act so much of the aforesaid Act as is herein-before recited shall be and the same is hereby repealed: Provided always, that no Paper containing any Public News, Intelligence, or Occurrences shall be deemed to be a Newspaper within the Meaning of the said Act, or of any Act relating to the Stamp Duties on Newspapers, unless the same shall be published periodically, or in Parts or Numbers at Intervals not exceeding Twenty-six Days between the Publication of any Two such Parts or Numbers.

Schedule to recited Act in part repealed.

No Paper containing News, &c. to be a Newspaper, unless published at Intervals not exceeding Twenty-six Days.

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Recited Act continued.

the same, That the said first-recited Act shall be and continue in full Force and Effect until the Thirty-first Day of *August* One thousand eight hundred and fifty-four.

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CAP. LXXIII.

An Act for the Establishment of a Body of Naval Coast Volunteers, and for the temporary Transfer to the Navy, in case of Need, of Seafaring Men employed in other Public Services.

[15th *August* 1853.]

WHEREAS it is expedient to establish and train a Body of Volunteers, who may be called forth and employed when the Defence of the Realm may require with or in aid of Her Majesty's Naval Forces, and to provide for the Service in the Navy upon the like Emergency of Seafaring Men who may be employed in any Department of the Public Service: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. It shall be lawful for the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral to raise and from Time to Time to keep up a Number of Men, not exceeding Ten thousand, to be called "The Royal Naval Coast Volunteers," such Men to be raised by voluntary Entry (from among Seafaring Men and

Power to Admiralty to raise "Royal Naval Coast Volunteers," not to exceed 10,000 Men.

and others who may be deemed suitable for the Services in which such Volunteers may be employed), and to be so raised and entered at such Times, in such Places in the United Kingdom, and the Islands of *Man*, *Guernsey*, *Jersey*, *Alderney*, and *Sark*, or any of them, by such Persons, and in such Manner as such Lord High Admiral or Commissioners shall from Time to Time direct.

Volunteers to be entered for Five Years.

II. Every Volunteer raised under this Act shall be entered for the Term of Five Years, and shall continue subject as a Volunteer to the Provisions of this Act during such Term, and no longer, save as herein-after otherwise provided.

Volunteers may be trained and exercised for 28 Days in each Year, and on shore or on board Ship.

III. The Lord High Admiral or Commissioners for executing the Office of Lord High Admiral may cause the Volunteers under this Act to be instructed, trained, and exercised in Seamanship, Gunnery, and the Use of Arms, and generally in such Manner as to the said Lord High Admiral or Commissioners may seem most suitable for rendering such Volunteers fit to be employed in aiding the Regular Naval Forces of Her Majesty, and may cause all or any of such Volunteers to be instructed, trained, and exercised on shore or on board any Ships or Vessels, or partly on shore and partly on board any Ships or Vessels, and at and for such Time or Times as the said Lord High Admiral or Commissioners may think fit; and for the Purpose of such Instruction, Training, and Exercise, all or any of such Volunteers may be called out together at the same Time or Times of any Year, or in different Parts and at different Times of any Year, and may be required to attend at such Times and Places, and may be placed under and shall be subject to the Command of such Officers, as the said Lord High Admiral or Commissioners may think fit and direct, and may appoint for that Purpose, and where he or they so direct shall for such Purpose form Part of and be under the like Command as the respective Crews of any of Her Majesty's Ships or Vessels of War which the said Lord High Admiral or Commissioners may see fit to cause them to join for such Purpose: Provided always, that no Volunteer shall under this Enactment be required to attend more than Twenty-eight Days in the whole in any Year, or be taken or sent beyond Fifty Leagues from the Shore of some Part of the United Kingdom.

In case of imminent National Danger, &c. Her Majesty may order the Volunteers to be called into actual Service

IV. It shall be lawful for Her Majesty in case of imminent National Danger or of great Emergency (the Occasion being first communicated to Parliament, if Parliament be sitting, or declared in Council and notified by Proclamation if Parliament be not sitting or in being,) to order and direct that the Volunteers under this Act, or so many or such Part of them as Her Majesty may deem necessary, shall be called into actual Service.

V. Whenever

V. Whenever Her Majesty shall as aforesaid order all or any Number or Part of the Volunteers under this Act to be called into actual Service, the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral shall cause the said Volunteers, or such Number or Part of them as Her Majesty may have ordered, to be called into actual Service accordingly; and the Volunteers so called into actual Service shall be liable to serve on shore, or on board any Ships or Vessels, or partly on shore and partly on board any Ships or Vessels, as the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral may direct, but so that no such Volunteer be taken or sent beyond One hundred Leagues from the Shore of some Part of the United Kingdom; and such Volunteers may be placed under the Command of such Officers as the said Lord High Admiral or Commissioners may direct, and where he or they so direct shall form Part of and be under the like Command as the respective Crews of any of Her Majesty's Ships or Vessels of War which the said Lord High Admiral or Commissioners may see fit to cause them to join; and every such Volunteer so called into actual Service shall be liable to such Service for One Year from the Time of being so called into actual Service, and at the Expiration of such Service shall be entitled to be discharged: Provided always, that it shall be lawful for Her Majesty, in case She see fit, by Proclamation to declare that such Volunteers as may at the Date of such Proclamation be in actual Service as aforesaid shall continue in such actual Service for One Year from such Date if their Services be so long required, and every such Volunteer who may be in actual Service at the Date of such Proclamation shall be liable to such Service accordingly; and every Volunteer whose Period of actual Service is extended under or in consequence of such Proclamation, shall be entitled to receive for his Services during the extra Period for which they are required Twopence a Day in addition to his ordinary Pay: Provided also, that in case any such Volunteer be called into actual Service and be not at any One Time detained in such Service for a Period exceeding Six Months, he shall be and remain liable to be again called into actual Service during the Remainder of his Term of Five Years, in the same Manner and to serve for the like Term as if he had not before been called into such Service, and any Volunteer having been called into actual Service and discharged therefrom after having continued therein for more than Six Months and less than a Year shall be liable to be again called into actual Service as such Volunteer, and to serve for such further Term only as, with the Term during which he may have continued in actual Service as last aforesaid, will make up One Year, subject nevertheless to such Extension of Service as herein-before mentioned under Her Majesty's Proclamation.

Volunteers to be called into actual Service accordingly, not to be liable to be sent beyond 100 Leagues from the Shore of the United Kingdom.

Term of Service One Year, subject to being extended for another Year by Royal Proclamation.

Volunteers whose Service is extended entitled to extra Pay.

VI. Pro-

After the required Period of actual Service, Volunteers to be entitled to their Discharge.

Volunteers may be continued for the specified Period of actual Service, notwithstanding Expiration of 5 Years.

VI. Provided also, That in case any such Volunteer be discharged from actual Service after having completed such a Period of such Service as under the foregoing Provision would exempt him from being again called into the like Service, he shall be entitled to be also discharged from all other Service and Liability as a Volunteer, although his Term of Five Years may not have expired; but, except as aforesaid, every Volunteer whose Term of Five Years shall not have expired at the Date of Her Majesty's Order directing Volunteers to be called into actual Service may be called into actual Service under such Order, and shall (notwithstanding the Expiration of such Term of Five Years) be liable to be continued in such actual Service for such Period or extended Period as herein-before provided, and shall remain subject to the Provisions of this Act accordingly.

During Exercise and actual Service Men to have the Pay of able Seamen and Allowances when afloat.

VII. The Volunteers under this Act shall for such Time as they shall be called out for and shall attend Instruction, Training, and Exercise, and for such Time as they shall be in actual Service under this Act, be entitled when on shore to the Pay of able Seamen in the Royal Navy entered for Ten Years continuous and general Service, and when afloat to the same Pay and Allowances as such able Seamen, and shall be entitled to such Conduct Money in respect of travelling to and from any Place at which they may be required to attend for Instruction, Training, and Exercise, or for the Purpose of entering into actual Service as aforesaid, as may be allowed by the Regulations made under this Act: Provided always, that any such Volunteer who may be appointed to be or perform the Duties of a Petty Officer shall be entitled when on shore to the Pay, and when afloat to the Pay and Allowances, of a Petty Officer in the Royal Navy of the same Rank in lieu of the Pay or Pay and Allowances of an able Seaman in the Navy.

Volunteers protected from Service in the Navy.

VIII. Every Volunteer under this Act shall while he shall be such Volunteer be protected from Service in the Royal Navy, save under the Circumstances and for the Time and in the Manner herein expressly provided, and be exempt from Service in the Militia, and from serving as a Peace Officer or Parish Officer.

Provisions relating to billeting Marines to extend to Volunteers.

IX. All Provisions for the Time being in force for and in relation to the billeting of the Royal Marines shall extend and be applicable to the Volunteers under this Act during such Time as they shall attend Instruction, Training, and Exercise, or be in actual Service; and all Powers and Authorities for or in relation to the billeting of the Royal Marines which may be exercised by any Colonel Commandant or Commanding Officer of any Division of Royal Marines may, for the Purpose of billeting such Volunteers, be exercised by any Officer in the Royal Navy holding the Rank of Commander or any higher

higher Rank authorized in this Behalf by the Regulations made under this Act.

Power to Admiralty to make Regulations as to Sums to be paid by way of Bounty, &c.

X. It shall be lawful for the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral from Time to Time to make Regulations as to the Sums to be paid to Volunteers under this Act by way of Bounty or periodical Payment or Allowance in consideration of their entering under this Act, and to Volunteers or Persons who may have served as Volunteers in consideration of their re-entering under this Act, (such Bounty in no Case to exceed Six Pounds, and such periodical Payment or Allowance in no Case to exceed after the Rate of Two Shillings and Sixpence *per* Month during the Term of Service for which the Volunteer is entered), and as to the Time or respective Times, Conditions, and Manner of the Payment thereof, and as to the Manner and Form in which such Volunteers shall be entered to serve, and generally as to the entering and re-entering of Men as such Volunteers, and as to the Arms, Clothing, and Accoutrements with which such Volunteers are to be provided, and for forming such Volunteers into Divisions or other Bodies, and as to the Manner in which Notices of the Times and Places at which such Volunteers may be required to attend Instruction, Training, and Exercise, and for the Purpose of entering into actual Service under the Provisions of this Act, shall be published or given, and for securing and enforcing Attendance, good Conduct, and Discipline of and among such Volunteers, and imposing Fines, or Forfeitures of Bounty, Pay, and Allowances, for Misconduct and Breach of Discipline or of any such Regulations, and as to the Pay and Allowance to Officers commanding such Volunteers, and generally as to all other Matters and Proceedings under this Act; and the said Lord High Admiral or Commissioners may, if he or they so think fit, provide by such Regulations that Volunteers under this Act shall be protected from Service in the Royal Navy for such Term or different Terms after the Determination of their Services as Volunteers under this Act as, with reference to the Circumstances or Duration of their Services, may be mentioned in such Regulations.

Regulations to be laid before Parliament.

XI. All Regulations made under this Act shall be laid before both Houses of Parliament within Twenty-one Days next after the making thereof if Parliament be sitting, or if Parliament be not sitting, then within Twenty-one Days after the next Meeting of Parliament.

Admiralty may discharge Volunteers.

XII. It shall be lawful for the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, in his or their Discretion at any Time to discharge all or any of the Volunteers raised under this Act.

In case of Emergency Officers and

XIII. Whenever any Emergency shall arise which in the Opinion of the Lord High Admiral or Commissioners for executing the Office

Men of the Coast Guard, Revenue Cruizers, and Seamen-Riggers may be required to serve in the Navy for a limited Period.

Office of Lord High Admiral renders it advisable to require the Services in Her Majesty's Navy of all or any of the Officers and Men of the Coast Guard, and of Her Majesty's Revenue Cruizers, and Seamen-Riggers employed under the Crown, it shall be lawful for such Lord High Admiral or Commissioners to order such Officers and Men of the Coast Guard, and of Her Majesty's Revenue Cruizers, and Seamen-Riggers, or any of them, to join Her Majesty's Navy, and those so ordered shall join such of Her Majesty's Ships or Vessels of War as the said Lord High Admiral or Commissioners may at any Time or Times direct, and shall form the Crews or Parts of the Crews of such Ships or Vessels, and shall continue to serve in Her Majesty's Navy during such Time as such Emergency may in the Opinion of the said Lord High Admiral or Commissioners continue, but in no Case without their Consent for a longer Period than Five Years, and while so serving shall be entitled to the same Pay and Allowances according to their respective Ratings on board such Ships or Vessels as Officers in Her Majesty's Navy and Men in Her Majesty's Navy entered for Ten Years continuous and general Service.

Upon Invasion or Danger thereof, Seafaring Men in Public Departments liable to temporary Service in the Navy.

XIV. Upon the making by Her Majesty of any such Order as herein-before provided in case of actual Invasion or imminent Danger thereof, it shall be lawful for the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral to require and direct all or any of the Out-door Officers and Boatmen in the Employment of the Board of Customs receiving daily Pay, and all or any other Seafaring Officers and Men holding Appointments under the Crown or in the Public Service, and in active Service, not being Officers or Men of the Coast Guard, or of Her Majesty's Revenue Cruizers, or Seamen-Riggers, to join Her Majesty's Navy, and those so ordered shall join such of Her Majesty's Ships or Vessels of War as the said Lord High Admiral or Commissioners may at any Time or Times direct, and shall form the Crews or Parts of the Crews of such Ships or Vessels, and shall be entitled to the same Pay and Allowances according to their respective Ratings on board such Ships or Vessels as Officers in Her Majesty's Navy and Men in Her Majesty's Navy entered for Ten Years continuous and general Service, provided that no such Person shall be liable to be detained in the Naval Service of Her Majesty for a longer Period than One Year, to be computed from the Time of his joining any of Her Majesty's Ships or Vessels in pursuance of any such Requisition or Direction as aforesaid.

Pay of Coast Guard Men and others required to serve in the Navy not to be diminished.

XV. Provided always, That where the Pay according to his Rating in the Navy received by any Officer or Man of the Coast Guard, of Her Majesty's Revenue Cruizers, Seaman-Rigger, Out-door Officer, or Boatman in the Employment of the Board of Customs, or other Seafaring Officer or Man holding any Appointment under the Crown or in the Public Service, while serving in Her Majesty's Navy under

under either of the Two last preceding Sections, shall be less than what he would be entitled to in respect of his respective Appointment or Employment if he had not been so required to serve in Her Majesty's Navy, the Excess of the Pay to which he may be or would have been entitled in respect of such Appointment or Employment over the Pay of his Rating in the Navy shall be from Time to Time paid to such Person or Persons as he may direct; and no such Officer or Person shall be deprived of his former Employment under the Crown at the End of such Servitude if he shall have conducted himself in a proper Manner and not be incapacitated by bodily Infirmity, and such Service in the Navy shall count in regard to Pensions for the Service from which he may have been taken.

In case of Emergency Pensioners may be required to serve in the Navy.

XVI. Whenever any Emergency shall arise which, in the Opinion of the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral, renders it advisable to require the Services in Her Majesty's Navy of any of the Persons who may have served as Petty Officers or Seamen in Her Majesty's Navy and may be in the Receipt of Pensions in respect of such Service, it shall be lawful for such Lord High Admiral or Commissioners to order any of such Persons to join Her Majesty's Navy; and those so ordered shall join such of Her Majesty's Ships or Vessels of War as the said Lord High Admiral or Commissioners may at any Time or Times direct, and shall form the Crews or Parts of the Crews of such Ships or Vessels, and shall continue to serve in Her Majesty's Navy during such Time as such Emergency may in the Opinion of the said Lord High Admiral or Commissioners continue, and while so serving shall be entitled to the same Pay and Allowances, according to their respective Ratings on board such Ships or Vessels, as Officers in Her Majesty's Navy and Men in Her Majesty's Navy entered for Ten Years continuous and general Service, and shall also continue to receive their Pensions.

Laws relating to the Government of the Navy extended to Volunteers during Exercise, and to such Volunteers and others when in actual Service.

XVII. All the Laws and Customs for the Time being in force for the Government of Her Majesty's Ships, Vessels, and Forces by Sea, and applicable to any Person in or belonging to the Fleet, or to any Person being in actual Service and Full Pay, and Part of the Crew of any of Her Majesty's Ships or Vessels, shall be applicable in like Manner to every Volunteer during such Period as he shall be on board any Ship or Vessel for the Purpose of Instruction, Training, and Exercise, or shall be otherwise under Instruction, Training, and Exercise, and to every such Volunteer, and to every Officer and Man of the Coast Guard, of Her Majesty's Revenue Cruizers, Seaman-Rigger, or other Person required to serve in the Navy under this Act during such Time as he shall be in actual Service either on board any Ship or Vessel or otherwise under this Act, and to all Officers

Officers having any Command over any such Volunteers during the Time of Instruction, Training, and Exercise, or while in actual Service; and the said Volunteers and Officers and Men of the Coast Guard, of Her Majesty's Revenue Cruizers, Seamen-Riggers, and other Persons required to serve in the Navy under this Act, shall, while in actual Service, have the same Privileges of making Allotments of Wages to Relatives, and of making Remittances, and otherwise have the Benefit of and be subject to the Provisions of the Laws relating to the Pay of the Royal Navy, in like Manner as Officers and Men of their respective Ratings in Her Majesty's Navy; and the Laws concerning the Discharge of Seamen serving on board Her Majesty's Ships, and becoming entitled to be discharged, shall be applicable to and for the Discharge of any of the said Volunteers, Officers, and Men of the Coast Guard, of Her Majesty's Revenue Cruizers, Seamen-Riggers, and others serving on board any of Her Majesty's Ships under this Act, and becoming entitled to be discharged.

Enlistment of Volunteers under this Act in Her Majesty's Regular Forces, or in the Forces of East India Company, or in the Militia, and entering of Militia Men as Volunteers under this Act, to be void.

Punishment of Persons offending.

XVIII. In case any Officer, Sergeant, or other Person enlist any Man to serve in Her Majesty's Regular Forces, or in the Forces of the *East India* Company, or in the Militia, who at the Time of such enlisting is entered to serve as a Volunteer under this Act, such enlisting, and in case any Person enter any Man to serve as a Volunteer under this Act who at the Time of such entering is enrolled to serve in the Militia, such entering, shall be null and void, and any such Volunteer offering himself to be enlisted in Her Majesty's Regular Forces, or in the Forces of the *East India* Company, or be enlisted or enrolled as a Militia Man, and every Militia Man offering himself to be entered as a Volunteer under this Act, shall, on Conviction thereof upon the Oath of One Witness before any Justice of the Peace, be committed to the Common Gaol or House of Correction for any Term not exceeding Six Months; and any Officer or other Person knowingly enlisting or enrolling any Volunteer under this Act to serve in Her Majesty's Regular Forces, or in the Forces of the *East India* Company, or in the Militia, or knowingly entering any Militia Man to serve as a Volunteer under this Act, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Penalty on selling or buying Arms, &c. Volunteers.

XIX. Any Volunteer who shall sell, pawn, or lose any of his Arms, Clothes, Accoutrements, or Ammunition, or refuse or neglect to return the same in good Order to any Person appointed by or under the Authority of the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral to receive the same, shall for every such Offence forfeit any Sum not exceeding Three Pounds; and any Person who shall knowingly and willingly buy, take in exchange, receive in Pledge, or otherwise receive or conceal any Arms, Clothes, Accoutrements, or Ammunition belonging to any such Volunteer,

Volunteer, and provided for him under this Act, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds and the Treble Value of all or any of the Articles so bought, taken in exchange, received, or concealed.

Penalty on Volunteer for not attending Training and Exercise.

XX. Every Volunteer under this Act (not labouring under any Infirmity incapacitating him) who shall not appear at any Time and Place at which he shall be appointed to attend for the Purpose of Instruction, Training, and Exercise according to the Provisions of this Act, Notice of his being required so to attend having been given in such Manner as may be provided by any Regulations made under this Act, and any Volunteer who having so appeared afterwards deserts or absents himself during the Time of such Instruction, Training, and Exercise, shall be subject to a Penalty not exceeding Twenty Pounds.

Persons not attending when called into actual Service may be apprehended and punished as Deserters from the Navy.

XXI. If any Volunteer under this Act, or any Officer or Man of the Coast Guard, or of any of Her Majesty's Revenue Cruizers, Seaman-Rigger, or other Person required to serve in the Navy under this Act, shall not, at or within such Time as may be appointed by any Order of the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral made under this Act, appear for the Purpose of entering into actual Service, or join any of Her Majesty's Ships or Vessels which he may be required to join for that Purpose, every such Person so offending shall be liable to be apprehended and punished in the same Manner as any Person belonging to Her Majesty's Navy, and deserting or improperly absenting himself from Duty.

Penalty for inducing Persons to absent themselves or harbouring or employing Persons absenting themselves.

XXII. Any Person who by Words or other Means shall persuade any Volunteer under this Act, or any Officer or Man of the Coast Guard, or of any of Her Majesty's Revenue Cruizers, Seaman-Rigger, or other Person required to serve in the Navy under this Act, improperly to absent himself from his Duty, shall forfeit and pay the Sum of Twenty Pounds; and every Person who shall assist or procure any such Volunteer, or any such Officer or Man, Seaman-Rigger, or such other Person as aforesaid, improperly to absent himself as aforesaid, or shall conceal, employ, or continue to employ any such Volunteer, Officer or Man, Seaman-Rigger, or other Person, knowing him to be so improperly absent, shall for every such Offence forfeit and pay the Sum of Thirty Pounds.

Recovery of Penalties.

XXIII. All Offences for which any pecuniary Penalty or Forfeiture is by this Act imposed shall and may be heard and determined by any Justice of the Peace in or near to the Place where the

Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and any Forfeiture of Treble Value, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered in *England* or *Wales* under the Provisions of an Act passed in the Twelfth Year of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned, with or without Hard Labour, for any Time not exceeding Six Months; which said Act shall be used and applied in *Scotland* and in *Ireland* for the Recovery of all such pecuniary Penalties and Forfeitures, and Forfeiture of Treble Value, as fully to all Intents as if such Act had extended to *Scotland* and *Ireland*, anything in the said Act, or in an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, intituled *An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions in* Ireland, to the contrary notwithstanding.

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

Appropriation of Penalties.

XXIV. One Moiety of every such Penalty or Forfeiture, not including the Treble Value of any Articles, shall go to the Person who shall inform or sue for the same, and the other Moiety, together with the Treble Value of any Articles, or where the Offence shall be proved by the Person who shall inform then the whole of the Penalty and such Treble Value, shall be paid over and applied in such Manner as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall direct; anything in an Act passed in the Sixth Year of King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act of Parliament, to the contrary notwithstanding; and every Justice who shall adjudge any Penalty under this Act shall, within Four Days thereafter at the furthest, report the same, and his Adjudication thereof, to the Secretary of the Admiralty.

5 & 6 W. 4. c. 76.

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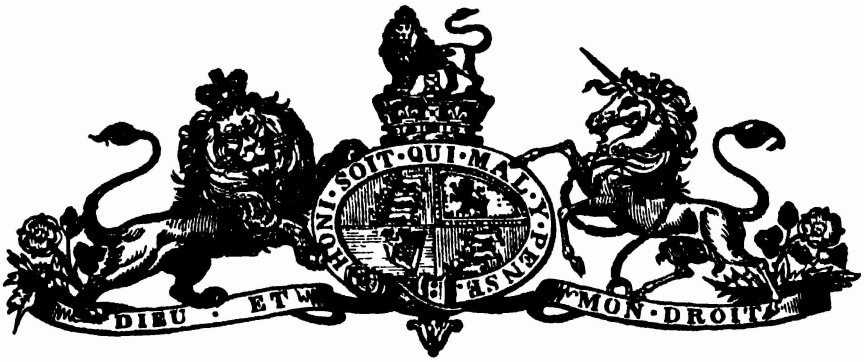

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tained according to the said last-mentioned Enactment, or a Sum of Money less by and at the like Rate than the Amount of the Money Consideration calculated and ascertained according to the said Section Twenty-three and the said Table in Schedule (L.) of the said Act; and the Consideration for the Purchase of Land Tax under the several Provisions contained in the said Act in that Behalf shall be such Sum of Capital Stock or Money at the least as is herein-before directed to be given or paid for the Redemption of Land Tax.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
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CAP. LXXV.

An Act for the Remission of the Consolidated Annuities charged upon Districts in *Ireland*.

[15th *August* 1853.]

WHEREAS by an Act of the Thirteenth Year of Her Majesty, "to authorize a further Advance of Money to "certain distressed Poor Law Unions, and to make Pro- "vision for the Repayment of Advances made and authorized to "be made to Poor Law Unions and other Districts in *Ireland*," the Commissioners of Her Majesty's Treasury were empowered, where they thought it expedient that the Debts and Liabilities of any of the several Unions and Electoral Divisions and other Districts in *Ireland* in respect of the Loans and Advances of Public Money made under several Acts therein recited, and also in respect of any Loans for building Workhouses, and of any Advances under the Authority of the Act now in recital, should be consolidated and repaid as therein mentioned, to inquire into and cause to be ascertained the whole Amount of such Debts and Liabilities upon an Account taken up to such Time as they might think fit; and the said Commissioners were thereby empowered after such Inquiry to adjust and fix the proportionate Amount which would have been borne by each Townland or other Denomination or Place comprised in any such Union, Electoral Division, or other District, and to cause to be charged on such Townland or other Denomination or Place an Annuity which they should deem

13 & 14 Vict. c. 14.

deem equivalent to such proportionate Amount, or (in such Cases as therein mentioned) instead of causing to be charged separate Annuities on the several Townlands, Denominations, or Places in any Electoral Division, to cause to be charged One Annuity on such Electoral Division; and every Annuity to be charged under the Act now in recital was to commence in such Year, and be payable for such Number of Years and on such Day in every Year, as the said Commissioners should think fit; and it was thereby provided, that in case the Board of Guardians should not sooner pay the same, the Treasurer of every Union in *Ireland* should, from all Lodgments made with him from Time to Time of the First or any subsequent Rate or Rates on account of each such Electoral Division in the Union, after every yearly Day of Payment of such Annuities, reserve One equal Third Part thereof, and place the same to the Credit of the Electoral Division in an Account to be entitled the "Loans Repayment Account," until the aggregate Amount which should become payable from Time to Time on account of the Annuity charged on such Electoral Division, or, as the Case might require, the Annuities charged on all the Townlands and other Denominations and Places, if any, in such Electoral Division, and all Arrears, if any, in respect of any previous Year or Years, should have been received and placed to such Account as aforesaid, and that the Treasurer of the Union should pay over from Time to Time all Sums so reserved as aforesaid into the Bank of *Ireland*, to be there placed to a separate Account in the Name of the Paymaster of Civil Services in *Ireland*, to be entitled the "Loans Repayment Account"; And whereas the said Commissioners, in pursuance of the Provisions of the said recited Act, caused to be ascertained the Amounts of the said Debts and Liabilities of the several Unions and Electoral Divisions and other Districts in *Ireland* up to the Thirtieth Day of *September* One thousand eight hundred and fifty, and caused to be charged in respect thereof on Electoral Divisions, or the Townlands and other Districts therein, Annuities herein-after referred to as Consolidated Annuities: And whereas under the Act of the last Session of Parliament, Chapter Sixteen, the Sums or Parts of the Sums payable in the Year One thousand eight hundred and fifty-one in respect of the Consolidated Annuities charged on certain Electoral Divisions, or the Townlands or other Districts therein, have been remitted on account of the Pressure upon the local Resources of such Electoral Divisions of the necessary Expenditure for the Relief of the Poor: And whereas it is expedient that the said Consolidated Annuities payable in respect of the Year commencing from the Thirtieth Day of *September* One thousand eight hundred and fifty-two and in respect of all subsequent Years be remitted, and that, on account of the continuing Pressure of the Expenditure for the Relief of the Poor in certain Electoral Divisions, the Sums

15 & 16 Vict. c. 16.

or

or Parts thereof herein-after mentioned, payable in respect of the Year ending on the said Thirtieth Day of *September* One thousand eight hundred and fifty-two, should also in the Cases herein-after mentioned be remitted: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

All Sums payable in respect of the Year commencing from the 30th Sept. 1852, and in respect of all subsequent Years, remitted.

I. All the said Consolidated Annuities charged under the said Act of the Thirteenth and Fourteenth Years of Her Majesty shall be deemed to have ceased as from the Thirtieth Day of *September* One thousand eight hundred and fifty-two, and all Sums which have accrued due in respect of Payments of the said Annuities subsequent to the Thirtieth Day of *September* One thousand eight hundred and fifty-two, or which if this Act had not been passed would hereafter become due in respect of such Annuities, shall be remitted and deemed to be discharged without further Payment; and where any Sums payable in respect of the Year commencing from the said Thirtieth Day of *September* One thousand eight hundred and fifty-two have been already paid by the Treasurer of any Union to the said Account standing in the Name of the Paymaster of Civil Services in *Ireland*, it shall be lawful for the Commissioners of Her Majesty's Treasury to cause the said Paymaster of Civil Services in *Ireland* to repay the said Sums so paid to the said Account to the Treasurers of the several Unions in *Ireland* from whom the same shall have been received; and all Sums which may have been or ought to have been reserved by the Treasurer of any Union on account of any Payment hereby remitted of the Annuity charged on such Electoral Division, or of the Annuities charged on Townlands and other Denominations and Places therein, and which shall not have been paid over to the said Account in the Name of the Paymaster of Civil Services, and all such Sums which shall have been so paid over, and shall be repaid by the Paymaster of Civil Services to such Treasurers as aforesaid, shall be carried by such Treasurer to the Credit of the Electoral Division from the Rates of which such Sums may have been reserved or lodged.

Annuities payable previously to 30th Sept. 1852 may be remitted, in whole or in part, in distressed Districts.

II. In any Case where the Commissioners for administering the Laws for the Relief of the Poor in *Ireland* shall ascertain, and report to the Commissioners of Her Majesty's Treasury, that the Expenditure for the Relief of the Poor and for the Medical Relief of poor Persons under an Act passed in the Session of Parliament holden in the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Sixty-eight, in any Electoral Division in *Ireland* for the Year ending on the Twenty-ninth Day of *September* One thousand eight hundred and fifty-two amounted to Four Shillings in the Pound or upwards on the

the Valuation then in force, it shall be lawful for the Commissioners of Her Majesty's Treasury to remit the whole of the Sum payable in respect of such Year on account of any such Annuity or Annuities as aforesaid charged on such Electoral Division, or on any District or Districts therein; and in case the said Commissioners for administering the Laws for the Relief of the Poor shall ascertain and report as aforesaid that the Expenditure aforesaid in any such Electoral Division in the said Year ending on the said Twenty-ninth Day of *September* One thousand eight hundred and fifty-two did not amount to the Sum of Four Shillings in the Pound on such Valuation, but amounted to such a Sum as, with the Payment to be made in respect of such Year on account of the Annuity or Annuities charged as aforesaid on such Electoral Division, or on the District or Districts therein, would exceed the Sum of Four Shillings in the Pound on such Valuation, it shall be lawful for the said Commissioners of Her Majesty's Treasury to remit such Portion of the Sum payable in respect of such Annuity or Annuities as will reduce the aggregate Amount of such Expenditure, and of the Payment on account of such Annuity or Annuities, to such Sum of Four Shillings in the Pound on such Valuation, and to authorize the said Commissioners for administering the Laws for the Relief of the Poor to issue an Order under their Seal to the Treasurers of the several Unions, specifying the Sums and Portions of Sums so remitted in respect of the said Annuities; and all Sums which have been or ought to have been reserved by the Treasurer of any Union out of the Rates of any Electoral Division on account of any Sum or Portion of a Sum so remitted shall be carried by such Treasurer to the Credit of the Electoral Division from the Rates of which the same may have been reserved.

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CAP. LXXVI.

An Act to continue certain Acts for regulating Turnpike Roads in *Ireland*. [15th *August* 1853.]

WHEREAS certain Acts for making, amending, and repairing the Turnpike Roads in *Ireland* were, by an Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of Her present Majesty, amended and continued for a Time therein limited: And whereas the said Acts were further continued from Time to Time, save as specially excepted: And whereas, under the Provisions of an Act of the last Session of Parliament, the said Acts, save as therein excepted, are further continued, and will remain in force until the Thirty-first Day of *July* in the present Year, or, if Parliament be then sitting, until the End of the then Session of Parliament: And whereas it is expedient that the several Acts for making, amending, or repairing Turnpike Roads in *Ireland* should be further continued: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

4 & 5 Vict. c. 6.

15 & 16 Vict. c. 22.

I. Any Act for making, amending, or repairing any Turnpike Road or Roads in *Ireland* which will expire on the said Thirty-first Day of *July* in the present Year, or at or before the End of the present

Acts for making, &c. Turnpike Roads in

Ireland, which will expire on 31st July 1853, &c., further continued.

present or next ensuing Session of Parliament, or before the Thirty-first Day of *July* One thousand eight hundred and fifty-four, shall be and the same is hereby continued, as amended by the said recited Act of the Fourth and Fifth Years of Her Majesty's Reign, until the Thirty-first Day of *July* One thousand eight hundred and fifty-four, or, if Parliament be then sitting, until the End of the then Session of Parliament.

Nothing in this Act to apply to 38 G. 3. c. 22. and 39 G. 3. c. 52.

II. Provided always, That nothing herein contained shall extend or apply to an Act of the Thirty-eighth Year of His late Majesty *George* the Third, intituled *An Act for improving and repairing the Turnpike Roads leading from the City of* Cork *to the Brook which bounds the Counties of* Cork *and* Tipperary, *near the Foot of* Kilworth *Mountain, and for repealing the several Laws heretofore made relating to the said Act*, or to an Act of the Thirty-ninth *George* the Third, to explain and amend the said Act.

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CAP. LXXVII.

An Act to continue an Act of the Fifteenth Year of Her present Majesty, for charging the Maintenance of certain poor Persons in Unions in *England* and *Wales* upon the Common Fund.

[15th *August* 1853.]

WHEREAS by an Act passed in the Session of Parliament held in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Fourteen, certain Provisions made by the several Acts therein referred to for charging upon the Common Fund of the Union the Costs of the Relief and the Expenses of the Burial of certain poor Persons in the several Acts described, and the Costs of removing and maintaining certain Lunatic Paupers, were continued until the Thirtieth Day of *September* One thousand eight hundred and fifty-two and to the End of the then next Session of Parliament, and it is expedient that all the said Provisions should be continued for a limited Time: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, 15 & 16 Vict. c. 14.

That

Temporary Provisions of recited Act further continued.

That all the said several temporary Provisions in the said Acts above referred to shall continue in full Force until the Thirtieth Day of *September* One thousand eight hundred and fifty-four and to the End of the then next Session of Parliament.

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clarations in Chancery, and to be styled "London Commissioners."

Oaths and take Declarations, Affirmations, and Attestations of Honour in Chancery, and to possess all such other Powers and discharge all such other Duties as aforesaid; and such Persons shall be styled "*London* Commissioners to administer Oaths in Chancery"; and they shall be entitled to charge and take a Fee of One Shilling and Sixpence for every Oath administered by them, and for every Declaration, Affirmation, or Attestation of Honour taken by them, subject to any Order of the Lord Chancellor varying or annulling the same.

Commissioners may be appointed to administer Oaths in Chancery for the Channel Islands.

III. It shall be lawful for the Lord Chancellor, from Time to Time, to appoint any Persons practising as Solicitors in the *Isle of Man*, in the *Channel Islands*, or any of them, to administer Oaths and take Declarations, Affirmations, and Attestations of Honour in Chancery, and to possess all such other Powers and discharge all such other Duties as aforesaid; and such Persons shall be styled "Commissioners to administer Oaths in Chancery for the *Channel Islands*," and they shall be entitled to charge and take the same Fees as the said "Commissioners to administer Oaths in Chancery."

Commissioners Appointment to bear a Chancery Stamp of 1*l.* in lieu of other Charges.

IV. The Fiat or Document by which any such Commissioners as aforesaid shall be appointed shall bear a Chancery Stamp of One Pound, in lieu of the Stamp of Five Shillings now required; but no other Charge or Fee shall be made or payable in respect of such Appointment, or of anything requisite to be done in order to perfect the same; and it shall not be necessary that any such Appointment should be published in the *London Gazette*.

Nothing to lessen Power of Lord Chancellor.

V. Nothing herein contained shall abridge or lessen the Power of the Lord Chancellor as it now exists to appoint fit Persons to administer Oaths and take Declarations, Affirmations, and Attestations of Honour in Chancery, or to regulate the Fees to be taken by them; and where any Act of Parliament refers to the Masters Extraordinary in Chancery, or to their Powers or Duties, the Reference shall be held to apply to and include the Commissioners hereinbefore mentioned, or to their Powers or Duties, as the Case may be.

Reference to Masters Extraordinary in Acts to apply to Commissioners.

Affidavits for Purposes connected with Registration.

VI. And whereas by the Twenty-second Section of an Act passed in the Session of Parliament held in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, Chapter Eighty-six, it is enacted, that "all Pleas, Answers, Disclaimers, Examinations, "Affidavits, Declarations, Affirmations, and Attestations of Honour "in Causes or Matters depending in the High Court of Chancery, "and also Acknowledgments required for the Purpose of enrolling "any Deed in the said Court, shall and may be sworn and taken "in *Scotland* or *Ireland*, or the *Channel Islands*, or in any Colony, "Island,

" Island, Plantation, or Place under the Dominion of Her Majesty in " Foreign Parts, before any Judge, Court, Notary Public, or Person " lawfully authorized to administer Oaths in such Country, Colony, " Island, Plantation, or Place respectively, or before any of Her " Majesty's Consuls or Vice-Consuls in any Foreign Parts out of Her " Majesty's Dominions; and the Judges and other Officers of the " said Court of Chancery shall take judicial Notice of the Seal or " Signature, as the Case may be, of any such Court, Judge, Notary " Public, Person, Consul, or Vice-Consul attached, appended, or sub- " scribed to any such Pleas, Answers, Disclaimers, Examinations, " Affidavits, Affirmations, Attestations of Honour, Declarations, Ac- " knowledgments, or other Documents to be used in the said Court:" And whereas by the Twenty-third and Twenty-fourth Sections of the same Act it is also enacted, that " all Persons swearing, declaring, " affirming, or attesting before any Person authorized by this Act to " administer Oaths, and take Declarations, Affirmations, or Attesta- " tions of Honour, shall be liable to all such Penalties, Punishments, " and Consequences for any wilful and corrupt false swearing, " declaring, affirming, or attesting contained therein, as if the Matter " sworn, declared, affirmed, or attested had been sworn, declared, " affirmed, or attested before any Court or Persons now by Law " authorized to administer Oaths, and take Declarations, Affirmations, " or Attestations upon Honour;" and that " if any Person shall forge " the Signature or the Official Seal of any such Judge, Notary " Public, or other Person lawfully authorized to administer Oaths " under this Act, or shall tender in Evidence any Plea, Answer, " Disclaimer, Examination, Affidavit, or other judicial or official " Document with a false or counterfeit Signature or Seal of any " such Judge, Court, Notary Public, or other Person authorized " as aforesaid attached or appended thereto, knowing the same " Signature or Seal to be false or counterfeit, every such Person " shall be guilty of Felony, and shall be liable to the same Punish- " ment as any Offender under an Act passed in the Eighth and " Ninth Years of the Reign of Her present Majesty, intituled " *An Act to facilitate the Admission in Evidence of certain official* 8 & 9 Vict. " *and other Documents:*" And whereas it is expedient to extend the c. 113. recited Provisions of the said first-mentioned Act for the Purpose of diminishing the Expense of and incident to Registration of Deeds, Wills, and other Documents or Things: Be it enacted, That such Provision shall extend to the *Isle of Man*, and that all Affidavits, Declarations, and Affirmations to be used before any Registrar or other Officer of any Registry Office in *Great Britain* or *Ireland*, for any Purpose connected with Registration of Deeds or Wills, or other Documents or Things, under the Authority of Parliament, may be sworn and taken in *Scotland* or *Ireland*, the *Isle of Man*, or the

the *Channel Islands*, or in any Colony, Island, Plantation, or Place under the Dominion of Her Majesty in Foreign Parts, before any Court, Judge, Notary Public, or Person hereby or otherwise lawfully authorized to administer Oaths in such Country, Colony, Island, Plantation, or Place respectively, or before any of Her Majesty's Consuls or Vice-Consuls in any Foreign Parts out of Her Majesty's Dominions; and all Registrars and other Officers of any such Registry Office shall take judicial Notice of the Seal or Signature, as the Case may be, of any such Court, Judge, Notary Public, Person, Consul, or Vice-Consul which shall be attached, appended, or subscribed to any such Affidavit, Declaration, or Affirmation, or any other Document; and that the Enactments contained in the said Twenty-third and Twenty-fourth Sections shall be deemed to be incorporated herein as effectually as if the same Enactments were expressly re-enacted in this Act and applied to Registry Offices.

Persons authorized to administer Oaths in Chancery may administer Oaths in Chancery of County Palatine of Lancaster.

VII. That where any Person is or shall be authorized to administer Oaths for the High Court of Chancery, such Person is and shall be authorized to administer Oaths for all Suits and Matters whatsoever in the Chancery of the County Palatine of *Lancaster;* and where any Plea, Answer, Affidavit, or other Document whatsoever is or shall be receivable in Evidence in the High Court of Chancery, the same shall be in like Manner receivable in the said Court of the County Palatine.

Term "Lord Chancellor."

VIII. The Term "Lord Chancellor" shall mean also and include the Lord Keeper and Lords Commissioners for the Custody of the Great Seal for the Time being.

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after the passing of that Act, and that further Provision be made with respect to Municipal Corporations in *England:* Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for any Purpose as "The Municipal Corporation Act, 1853."

Acts applying to Corporations specified in Schedule of 6 & 7 W. 4. c. 76. to extend to Corporations erected after passing of that Act.

II. In every Case in which an existing or future Act, passed after the Act of the Sixth Year of *William* the Fourth, Chapter Seventy-six, for the Regulation of Municipal Corporations, or any Provision of any such Act, applies generally to the Municipal Corporations specified in the Schedules to that Act, or applies generally to Municipal Corporations in *England*, every such Act and every such Provision shall (except only so far as by any Act hereafter passed is otherwise expressly provided) extend and apply, not only to every Municipal Corporation in *England* specified in those Schedules, but also to every Municipal Corporation in *England* erected after the passing of that Act of the Sixth Year of *William* the Fourth, and whether erected by Charter under that Act or otherwise.

For the Validity of Matters to which newly erected Corporations are party or privy.

III. Every Matter to which any Municipal Corporation erected after the passing of that Act of the Sixth Year of *William* the Fourth has at any Time heretofore been or now is party or privy, and which would have been or would now be valid, if any Act, or any Provision of any Act passed after that Act, applying generally to the Municipal Corporations specified in the Schedules to that Act, or applying generally to Municipal Corporations in *England*, but not applying expressly to the Municipal Corporations then or thereafter so erected, had applied expressly to all Municipal Corporations then and thereafter so erected, shall to all Intents and Purposes, both in favour of and against such Municipal Corporations so erected, be as valid as if every such Act and every such Provision had applied expressly to every such Municipal Corporation then or thereafter so erected.

Act not to affect Actions commenced before 18th March 1853.

IV. Provided always, That this Act or anything therein contained shall not affect any Action, Suit, or other Proceeding at Law commenced at any Time before the Eighteenth Day of *March* One thousand eight hundred and fifty-three.

Boroughs appointing Inspectors of Weights and Measures not to be liable to contribute to County Rate

V. Every City, Borough, and Town Corporate in which an Inspector or Inspectors of Weights and Measures is or are now or hereafter lawfully appointed by the Recorder, Justices, or others having Jurisdiction in this Behalf, shall be exempt from contributing to the Expense of providing or transmitting for the Use of the County, Riding, Division, or Parts within which such Borough or Town

Town Corporate is situate, Copies of the Imperial Standard Weights and Measures, or of the Stamps to be used by the Inspectors, or to the Remuneration to the Inspectors of Weights and Measures appointed for such County, Riding, Division, or Parts; and the Treasurer of every such County, Riding, Division, or Parts shall, out of the Account required by that Act of the Sixth Year of *William* the Fourth to be kept by him of all Sums of Money expended out of the County Rate for other Purposes than such Costs as therein mentioned, exclude such Expense and Remuneration as aforesaid, in like Manner as if the same had been by that Act excepted out of such Account; and the Amount to be paid to the Treasurer of such County, Riding, Division, or Parts by such Borough or Town Corporate shall be varied accordingly.

in respect of Weights and Measures in Counties.

VI. So much of that Act of the Sixth Year of *William* the Fourth as exempts or disqualifies Members of the Council for the Time being of every Borough in and for which a separate Court of Quarter Sessions of the Peace is holden, from serving on the Grand Jury at the Quarter Sessions held in and for such Borough, is hereby repealed, so far as respects every Borough which shall not contain Twelve thousand Inhabitants according to the last Census.

Town Councillors no longer exempted or disqualified from serving on Grand Juries in certain Boroughs.

VII. The Mayor of every City, Borough, and Town Corporate may from Time to Time appoint an Alderman or Councillor of such City, Borough, or Town Corporate to act as the Deputy Mayor during the Illness or Absence of the Mayor, and every such Appointment shall be signified in Writing to the Council, and shall be recorded in the Minutes of their Proceedings.

Power to Mayors to appoint Deputies in certain Cases.

VIII. Every Deputy appointed by a Mayor under the Provisions of this Act may, during the Illness or Absence of the Mayor, lawfully do and perform all Acts which the Mayor in his official Capacity might himself do and perform: Provided always, that no such Deputy not being a Justice of the Peace shall act as a Justice of the Peace or in any Judicial Capacity, nor shall he preside at any Meeting of the Council unless specially appointed by the Meeting so to do.

Power of Deputy appointed by a Mayor.

IX. If it shall be necessary by reason of the Death, Resignation, or lawful Removal of the Mayor to convene a Meeting of the Council to supply the Vacancy, the Notice for such Meeting shall be signed by the Town Clerk.

Town Clerk to sign Notice of Meeting to elect a Mayor on Vacancy.

X. If in any City, Borough, or Town Corporate the Number of Aldermen does not exceed the Number of Wards, the Mayor shall, in case of the Illness or Incapacity to act of any Alderman at an Election, appoint a Councillor (not being a Councillor representing or enrolled on the Burgess List for the Ward within which the Election is to take place) to preside at such Election.

In certain Boroughs Mayor may appoint a Substitute for presiding Alderman at Elections.

XI. If

Extraordinary Vacancy to be filled up Ten Days after Notice to the Mayor.

XI. If an extraordinary Vacancy shall happen in the Office of Councillor, Auditor, or Assessor, the Election to supply such Vacancy shall take place not later than Ten Days after Notice shall have been given to the Mayor or Town Clerk by any Two Burgesses, anything to the contrary notwithstanding.

Mayor may appoint Substitute for a deceased Assessor.

XII. If an extraordinary Vacancy shall happen in the Office of Assessor, the Election to supply such Vacancy shall be held before the Alderman of the Ward, the continuing Assessor, and such Burgess (not being a Burgess representing or enrolled on the Burgess List for that Ward) as the Mayor shall by Writing under his Hand appoint.

Result of Election of Aldermen how to be declared.

XIII. At every Election of Aldermen the Persons, not exceeding the Number of Aldermen then to be chosen, who shall have the greatest Number of Votes according to the Voting Papers signed by the Persons entitled to vote at such Election, and delivered to and openly read by the Mayor, shall be declared by the Mayor to be and thereupon shall be duly elected Aldermen: Provided always, that in every Case of an Equality of Votes the Mayor shall have a Casting Vote.

As to Matters required to be done by Overseers under 6 & W. 4. c. 76.

XIV. Every Matter by that Act of the Sixth Year of *William* the Fourth, or by any Act amending the same, directed to be done by the Overseers of the Poor of any Parish, Township, or Place, may be lawfully done by the major Part of such Overseers; and whenever any Notice is by that Act, or any Act amending the same, required to be given to the Overseers of the Poor of any Parish, Township, or Place, such Notice may be delivered to any One of such Overseers, or may be left at his Place of Abode, or at his Office for transacting Parochial Business.

Act to extend to Cities, &c.

XV. This Act applies to every City, Borough, and Town Corporate in *England* specified in the Schedules to the Act of the Sixth Year of *William* the Fourth, Chapter Seventy-six, and to every Municipal Corporation in *England* erected after the passing of that Act, and whether erected by Charter under that Act or otherwise, and shall be construed and executed as if its Provisions formed Part of that Act, and the Acts from Time to Time in force amending or extending that Act.

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CAP. LXXX.

An Act to facilitate Procedure in the Sheriff Courts in *Scotland*. [15th *August* 1853.]

WHEREAS an Act was passed in the First Year of the Reign of Her present Majesty, intituled *An Act for the more effectual Recovery of Small Debts in the Sheriff Courts, and for regulating the Establishment of Circuit Courts for the Trial of Small Debt Causes by the Sheriffs, in* Scotland; and another Act was passed in the Session of Parliament held in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to regulate the Constitution, Jurisdiction, and Forms of Process in Sheriff Courts in* Scotland: And whereas it is expedient to facilitate Procedure in the Sheriff Courts in *Scotland*, and to make further Provision for the cheap and speedy Administration of Justice in the said Courts: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

7 W. 4. & 1 Vict. c. 41.

1 & 2 Vict. c. 119.

Proceedings in ordinary Causes.

I. With respect to Cases in the Sheriff Court, other than those provided for by the first-recited Act as extended by this Act, be it enacted as follows:

Short Form of Summons.

The Summons shall be in the Form, as nearly as may be, of the Schedule (A.) annexed to this Act, and such short Form shall be equally effectual to all Intents and Purposes, including Arrestment on the Dependence where the Summons contains a Warrant to arrest in Terms of such Schedule, as the Forms at present in use.

II. Where

Proceedings in ordinary Causes.

Decree in absence.

Provision for reponing.

II. Where no Appearance shall be entered for the Defender the Sheriff may, at any Court held after the Day of Compearance, give Decree in Terms of such Summons, in like Manner as at present where no Appearance is made for the Defender, and such Decree shall be in all respects equivalent to a Decree in absence obtained under the Forms at present in use: Provided always, that the Defender may obtain himself reponed against such Decree, whether extracted or not, at any Time before Implement has followed thereon, or against such Part thereof as may not have been implemented, by lodging with the Sheriff Clerk a Reponing Note in the Form in Schedule (B.) annexed to this Act, and consigning therewith the Sum of Expenses decerned for, a Copy of which Note shall at the same Time be delivered or transmitted through the Post Office to the Pursuer or his Agent in the Action, and a Certificate by the Sheriff Clerk that such Note has been lodged shall operate as a Sist of Diligence; and where such Note shall have been lodged and Consignation made as aforesaid, the Sheriff shall pronounce a Judgment reponing the Defender, and shall also appoint the consigned Money to be paid over to the Pursuer, unless Special Cause be shown to the contrary, and the Cause shall thereafter proceed in all respects as if Appearance were made therein, in manner herein-after provided, of the Date of such Judgment: Provided always, that where a Charge has been given, or any Step of Diligence has been taken, on the Decree, prior to the Application to be reponed, it shall be competent to the Sheriff in the course of the Proceedings in the Cause to decern in favour of the Pursuer for the Expense of such Charge or Diligence, or such Part thereof as shall be just.

Procedure where Defender enters Appearance.

Condescendence and Defences to be lodged.

III. Where the Defender intends to state a Defence, he shall enter Appearance by lodging with the Sheriff Clerk, at latest on the Day of Compearance, a Notice in the Form of Schedule (C.) annexed to this Act; and on the First Court Day thereafter, or on any other Court Day to which the Diet may be adjourned, not being later than Eight Days thereafter, the Sheriff shall hear the Parties in Explanation of the Grounds of Action and the Nature of the Defence to be stated thereto, and if satisfied that no farther written Pleadings are necessary he shall cause a Minute in the Form of the Schedule (D.) annexed to this Act to be written on the Summons, setting forth concisely the Ground of Defence, which Minute shall be subscribed by the Parties or their Procurators, and the Sheriff shall thereupon close the Record by Writing under the said Minute "Record closed," and signing and dating the same; but if the Sheriff shall be satisfied that the Record cannot properly be made up without Condescendence and Defences, he shall pronounce an Order for the same; and in such Event the Pursuer shall, within Six Days thereafter, lodge with the Sheriff

Sheriff Clerk a Condescendence setting forth articulately, and as concisely as may be, without any Argument or unnecessary Matter, the Facts necessary to found the Conclusions of the Summons which he avers and is ready to prove, together with a Note of Pleas in Law; and the Defender shall, within Ten Days after the lodging of such Condescendence, lodge his Defences, setting forth articulately his Answers to such Condescendence, and also, where necessary, setting forth articulately, under a separate Head, any counter Statements necessary for his Defence which he avers and is ready to prove, and there shall be appended to such Defences a Note of the Defender's Pleas in Law, and such Defences shall be framed as concisely as may be, without any Argument or unnecessary Matter.

Proceedings in ordinary Causes.

IV. The Sheriff Clerk shall, as soon as Defences are lodged, transmit the Process to the Sheriff, who shall consider the same, and shall as soon as may be, and at latest within Six Days after the Date of lodging the Defences, appoint the Parties or their Procurators to meet him, and shall at such Meeting, if dilatory Defences have been stated, dispose at once, where possible, of such dilatory Defences, or may reserve Consideration of them till a future Stage of the Cause; and unless where the Pursuer is willing to close on Summons and Defences, the Sheriff may, if he thinks fit, order One Revisal of the Condescendence and Defences respectively, which Revisal shall be made upon the original Papers, unless the Sheriff, for special Cause assigned, shall direct to the contrary; and as soon as revised Defences are lodged, the Sheriff Clerk shall transmit the Process to the Sheriff, who shall thereupon appoint the Parties or their Procurators to meet him as soon as may be, and at latest within Six Days after the Date of the lodging of the revised Defences; and at such Meeting after the lodging of the Defences, or the revised Defences, as the Case may be, or at an adjourned Meeting, if the Sheriff has seen fit to adjourn (which he is hereby authorized to do, where necessary, but for no longer Period than Eight Days), the Sheriff shall allow the Pursuer or his Procurator to put upon Record, in concise and articulate Form, where this has not been already done, his Answers to the Defender's Statement of Facts, or a simple Minute of Denial where that shall be deemed by the Sheriff to be sufficient, and shall allow each Party to adjust his own Part of the Record, and shall strike out of the Record any Matter which he may deem to be either irrelevant or unnecessary; and the Record shall then be closed by the Sheriff writing upon the Interlocutor Sheet the Words "Record closed," and signing and dating the same.

Record to be made up and closed.

V. After the Record is closed the Sheriff shall hear the Parties or their Procurators upon the Merits of the Cause, and upon their respective

After Record is closed Sheriff to hear Parties,

Proceedings in ordinary Causes — or to appoint Diet for Proof, and to dispose of Case.

respective Pleas, or, where he deems Proof to be necessary, shall appoint a Diet for Proof on an early Day, and shall hear the Parties or their Procurators after such Proof is led; and after such Hearing, or such Proof and Hearing, as the Case may be, the Sheriff shall pronounce Judgment with the least possible Delay: Provided always, that it shall be competent to the Sheriff, on the written Consent of both Parties, to dispose of the Cause upon the Papers without further Statement or Argument.

Periods for lodging Papers peremptory; but Prorogations may be granted of Consent, and once on Cause shown.

VI. Where any Condescendence or Defences, or revised Condescendence or revised Defences, or other Paper, shall not be given in within the Periods prescribed or allowed by this Act, the Sheriff shall dismiss the Action, or decern in Terms of the Summons, as the Case may be, by Default, unless it shall be made to appear to his Satisfaction that the Failure to lodge such Paper arose from unavoidable or reasonable Causes, in which Case the Sheriff may allow the same to be received, on Payment of such Sum in Name of Expenses as he shall think just: Provided always, that the Periods appointed for lodging any Paper, or for transmitting any Process to the Sheriff, or for closing a Record, may always be once prorogated by the Sheriff without Consent on special Cause shown, and may always be prorogated by written Consent of Parties, with the Approbation of the Court; and in every Interlocutor prorogating on special Cause shown the Time for lodging any Paper the Nature of such Cause shall be set forth, and a definite Time shall be therein fixed within which the Paper is to be lodged.

Provision for Causes commenced by Petition.

VII. In all Applications before the Sheriff which are at present commenced by Petition, and are not otherwise regulated by this Act, the Petition shall be as nearly as may be in the Form of Schedule (E.) annexed to this Act; and thereafter the Procedure under such Petition shall, as nearly as may be, be the same as herein-before provided in regard to ordinary Actions.

Procedure in Multiplepoindings.

VIII. In Actions of Multiplepoinding, the Party raising the Summons shall set forth in the Body thereof who is the real Raiser of the Action; and the Sheriff shall, at the First Calling of the Cause, where no Defences are stated, or where Defences are stated and repelled at the First Calling thereafter, pronounce an Order for Claims within a short Space; and it shall be competent for any Number of Parties whose Claims in such Action depend upon the same Ground to state such Claims in the same Paper; and as soon as the Parties who shall appear and claim an Interest in the Fund shall have lodged their Claims, or had Opportunity allowed them for doing so, the Sheriff shall appoint the Parties or their Procurators to meet him; and at such

such Meeting he shall allow each Party to adjust his own Part of the Record, and to meet the Averments of any other Claimant or Claimants so far as necessary, and the Procedure at such Meeting, and in the after Progress of the Cause, shall be as nearly as may be the same as is herein-before provided with reference to ordinary Actions after Defences have been lodged.

Proceedings in ordinary Causes.

IX. Every Execution of a Summons, and every Execution of Service of a Petition, shall be written at the End of the Summons or Petition itself, and where necessary on continuous Sheets, but not on a separate Paper; and such Execution shall be in the Form, or as nearly as may be in the Form, of Schedule (F.) annexed to this Act, which Form shall be equally valid and effectual in all respects as the longer Form of Execution at present in use.

Short Forms of Execution provided.

X. Where Proof shall be allowed, a Diet of Proof shall be appointed, at which the Evidence shall be led before the Sheriff, who shall with his own Hand take a Note of the Evidence, setting forth the Witnesses examined, and the Testimony given by each, not by Question and Answer, but in the Form of a Narrative, and the Documents adduced, and any Evidence, whether oral or written, tendered and rejected, with the Ground of such Rejection, and a Note of any Objections taken to the Admission of Evidence, whether oral or written, allowed to be received; which Note of the Evidence shall be forthwith lodged in Process, and the Sheriff Clerk shall mark the Documents admitted in Evidence, and also, separately, any Documents tendered and rejected; and the Diet of Proof shall not be adjourned, unless on special Cause shown, which shall be set forth in the Interlocutor making the Adjournment; and the Proof shall be taken as far as may be continuously, and with as little Interval as the Circumstances or the Justice of the Case will admit of; and the Note of the Evidence given by each Witness shall be read over to him by the Sheriff, and signed by the Witness (if he can write) on the last Page in open Court before the Witness is dismissed: Provided always, that in the event of the Sheriff being unavoidably prevented from taking such Notes with his own Hand, he shall dictate the same to any competent Person he may select: Provided always, that it shall be competent to the Sheriff, where any Witness or Haver is resident beyond the Jurisdiction of the Court, or by reason of Age, Infirmity, or Sickness is unable to attend the Diet of Proof, to grant Commission to any Person competent to take and report in Writing the Evidence of such Witness or Haver; provided also, that it shall be competent to the Sheriff to remit to Persons of Skill or other Persons to report on any Matter of Fact, and where such Remit shall be made

Written Proofs abolished; and Proofs how to be taken.

Absent or aged or infirm Witness may be examined on Commission.

Remits may be made to Person of Skill and if of Consent his Report shall be final.

Proceedings in ordinary Causes.

made of Consent of both Parties the Sheriff shall hold the Report to be final and conclusive with respect to the Matter of such Remit.

Certified Copy Interlocutor of Proof to be Warrant for citing Witnesses and Havers, and to be operative, by simple Indorsation, in other Counties.

XI. When a Diet of Proof shall be appointed by the Sheriff, a Copy, certified by the Sheriff Clerk, of the Interlocutor fixing such Diet, or of that Portion of such Interlocutor which relates to that Matter, shall be a sufficient Warrant to any Sheriff Officer in *Scotland* (acting within his own County) to cite Witnesses and Havers, at the Instance either of the Pursuer or Defender, to attend such Proof; and such Warrant shall have the same Force and Operation in any other County as in the County in which it was issued, the same being, in every Case in which it is executed in another County from that in which it is issued, indorsed by the Sheriff Clerk of such other County, who is hereby required to make and date such Indorsation; and the Citation and Execution thereof shall be in the Form of Schedule (G.) annexed to this Act; and if any Witness or Haver duly cited on a Citation of at least Forty-eight Hours shall fail to appear, he shall forfeit and pay a Penalty not exceeding Forty Shillings, unless a reasonable Excuse be offered and sustained by the Sheriff, for which Penalty Decree shall be given by the Sheriff in favour of the Party on whose Behalf he was cited; and it shall be further competent to the Sheriff to grant Second Diligence for compelling the Attendance of such Witness or Haver, the Expense whereof shall in like Manner be decerned for against the Witness or Haver against whom the same has been issued, unless a special Reason to the contrary be stated, and sustained by the Sheriff.

Written Argument abolished, and oral Pleadings substituted.

XII. The Parties or their Procurators shall be entitled to be heard orally when the Cause shall be ripe for Judgment, and on the Import of any concluded Proof, and at any other Stage of the Cause when Argument may be necessary and shall be appointed by the Sheriff; and it shall not be competent, at any Stage of the Cause, to receive any written argumentative Pleading, excepting as hereinafter provided; but the Sheriff shall, if required by either of the Parties, take a Note of the Authorities cited in the course of the oral Argument, and also where he shall see fit of the Argument, and such Note shall form Part of the Process.

Sheriff in deciding to state the Grounds of his Judgment.

XIII. In all Cases where a Sheriff Substitute or Sheriff pronounces an Interlocutor disposing of a dilatory Defence or sisting Process, or deciding on the Admissibility of Evidence or any Plea of Confidentiality, or giving any Interim Decree, or disposing in whole or in part of the Merits of the Cause, it shall be the Duty of such Sheriff Substitute

Substitute or Sheriff, as the Case may be, to set forth in such Interlocutor, or in a Note appended to and issued along with it, the Grounds on which he has proceeded.

Proceedings in ordinary Causes.

XIV. Every Decree for Expenses pronounced after the passing of this Act shall be held to include a Decree for the Expense of extracting the same.

Decree for Expenses to include Expense of Extract.

XV. Where in any Cause neither of the Parties thereto shall during the Period of Three consecutive Months have taken any Proceeding therein, the Action shall at the Expiration of that Period (*eo ipso*) stand dismissed, without Prejudice nevertheless to either of the Parties within Three Months after the Expiration of such First Period of Three Months, but not thereafter, to revive the said Action on showing good Cause to the Satisfaction of the Sheriff why no Procedure had taken place therein, or upon Payment to the other Party of the preceding Expenses incurred in the Cause, whereupon such Action shall be revived and proceeded with in ordinary Form, with Power to the Sheriff, if he shall see fit, to disallow such Expenses or any Part thereof in the Accounts of the Agent of either Party against his Client: Provided always, that nothing herein contained shall apply to Cases in which the Right under such Action has been acquired by a Third Party, by Death or otherwise, within such Period of Six Months.

Action not prosecuted dismissed.

XVI. Where any Judgment shall be pronounced by the Sheriff Substitute, which under this Act may be brought under the Review of the Sheriff, the Party who proposes to appeal against the same shall, within Seven Days from the Date thereof, engross and sign by himself or his Agent under the Interlocutor appealed against the Words "I appeal against this Interlocutor," and thereafter it shall be competent for such Party to lodge with the Sheriff Clerk within Eight Days a Reclaiming Petition against the said Judgment and any prior Judgment which may under this Act be then appealed, which Reclaiming Petition the Sheriff Clerk shall forthwith transmit to the Sheriff, who may order Answers thereto, and shall thereafter dispose of such Appeal, or otherwise the Party appealing may intimate by Notice lodged with the Sheriff Clerk within the Period aforesaid his Desire to be heard orally before the Sheriff on such Judgment or Judgments, in which Case the Sheriff shall hear the Parties or their Procurators on such Appeal, and shall dispose of the same; and the Sheriff shall have Power in Cases requiring extraordinary Despatch to order a Reclaiming Petition and Answers instead of hearing the Parties orally; but it shall not be competent in any Case in reviewing such Judgment both to receive a Reclaiming Petition and to hear the Parties

Judgment of the Sheriff Substitute may be appealed against by Petition or Hearing.

Proceedings in ordinary Causes.

Review by Sheriff to be obtained by simple Appeal.

Parties orally: Provided always, that if no Reclaiming Petition shall have been lodged, and if neither Party shall within the Period above mentioned require to be heard before the Sheriff, he may proceed to dispose of such Appeal without farther Argument, and it shall be competent for the Sheriff, where the Cause is before him on Appeal on any Point, to open up the Record *ex proprio motu*, if it shall appear to him not to have been properly made up.

No Appeal allowed during the leading of the Proof;

XVII. It shall not be competent, prior to the closing of the Proof, to appeal to the Sheriff against any Interlocutor of the Sheriff Substitute, on the Admissibility of Evidence pronounced during the leading of the Proof; but it shall be competent, on the Proof being declared closed, or within Seven Days thereafter, to appeal against all or any of such Interlocutors; and the Sheriff shall pronounce such Judgment on the Appeal as shall be just, and shall appoint any Evidence which he may think ought not to have been rejected, to be taken before the Case shall be advised on its Merits.

Except by Persons pleading Confidentiality, or objecting to Production of Writings.

XVIII. Provided always, That nothing in this Act contained shall preclude any Person, whether Party to the Cause or not, who may plead Confidentiality, whether with reference to documentary or oral Evidence, or any Person, not being a Party to the Cause, who may object to produce Writings, whether on Pleas of alleged Hypothec or otherwise, from taking to review any Judgment of the Sheriff Substitute or Sheriff disposing of such Pleas, in whole or in part; but the Judgment of the Sheriff Substitute disposing of such Pleas shall only be reviewable by such Person taking an Appeal at the Time in open Court, which Appeal shall be minuted by the Sheriff Substitute, and thereupon such Part of the Proceedings as may be necessary for the Disposal of such Appeal, or as the Sheriff may require, shall be transmitted by the Sheriff Clerk to the Sheriff, who shall dispose of the same summarily, but may appoint a Hearing before giving Judgment: Provided also, that no such Appeals by any such Person pleading Confidentiality as aforesaid, or by any such Person objecting to produce Writings as aforesaid, shall be held to remove the Cause from before the Sheriff Substitute as regards any Point or Points not necessarily dependent on the Interlocutor or Judgment appealed from; but, as to all such Points, the Cause may be proceeded with before the Sheriff Substitute as if no such Appeal had been taken.

No Appeal allowed (except in certain Cases) till Judgment on the Merits.

XIX. Until an Interlocutor shall have been pronounced disposing in whole or in part of the Merits of the Cause, it shall not be competent to appeal to the Sheriff against any Interlocutor of the Sheriff Substitute, not being an Interlocutor disposing of a dilatory Defence, or an Interlocutor sisting Process, or an Interlocutor allowing a Proof, or to

to appeal to the Sheriff against any Interlocutor of the Sheriff Substitute, on the Admissibility of Evidence pronounced during the leading of the Proof, except as herein-before provided for; but it shall be competent in every Case in which an Appeal against any Interlocutor is taken also to appeal against all or any of the Interlocutors previously pronounced, whether before or after the Date of closing the Record, or whether the Record has been closed or not, and the Sheriff shall pronounce such Judgment on the Appeal as shall be just.

Proceedings in ordinary Causes.

XX. It shall be competent to any Sheriff Substitute or Sheriff to correct any merely clerical Error in his Judgment at any Time before the Proceedings have been transmitted to the Judge or Court of Review, not being later than Seven Days from the Date of such Judgment.

Where Mistakes in a Judgment may be corrected without Review.

XXI. The Procedure in Consistorial and Maritime Causes shall be as nearly as may be the same as is herein-before provided with reference to ordinary Actions.

Procedure in Consistorial and Maritime Causes.

XXII. It shall not be competent, except as herein-after specially provided for, to remove from a Sheriff Court, or to bring under Review of the Court of Session, or of the Circuit Court of Justiciary, or of any other Court or Tribunal whatever, by Advocation, Appeal, Suspension, or Reduction, or in any other Manner of Way, any Cause not exceeding the Value of Twenty-five Pounds Sterling, or any Interlocutor, Judgment, or Decree pronounced or which shall be pronounced in such Cause by the Sheriff.

Judgment of Sheriff in Causes not exceeding 25*l.* to be final.

XXIII. It shall be competent in all Civil Causes above the Value of Twelve Pounds, competent before the Sheriff, for the Parties to lodge in Process a Minute, signed by themselves or by their Procurators, setting forth their Agreement that the Cause should be tried in the summary Way provided in the said first-recited Act, and the Sheriff shall thereupon hear, try, and determine such Action in such summary Way; and in such Case the whole Powers and Provisions of the said first-recited Act shall be held applicable to the said Action: Provided always, that the Parties, or any of them, shall be entitled to appear and plead by a Procurator of Court.

Causes of any Value may be tried in a summary Way by Consent of all the Parties.

XXIV. It shall be competent, in any Cause exceeding the Value of Twenty-five Pounds, to take to review of the Court of Session any Interlocutor of a Sheriff sisting Process, and any Interlocutor giving Interim Decree for Payment of Money, and any Interlocutor disposing of the whole Merits of the Cause, although no Decision has

In Cases exceeding 25*l.*, Review limited to final Judgments, &c.

Proceedings in ordinary Causes.

has been given as to Expenses, or although the Expenses, if such have been found due, have not been modified or decerned for; but it shall not be competent to take to review any Interlocutor, Judgment, or Decree of a Sheriff, not being an Interlocutor sisting Process, or giving Interim Decree for Payment of Money, or disposing of the whole Merits of the Cause as aforesaid; and the Provisions of an Act passed in the Fiftieth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for abridging the Form of extracting Decrees of the Court of Session in* Scotland, *and for the Regulation of certain Parts of the Proceedings of that Court,* and also the Provisions of an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the better regulating of the Forms of Process in the Courts of Law in* Scotland, are, in so far as inconsistent with this Enactment, hereby repealed: Provided always, that when any Interlocutor shall be brought under Review of the Court of Session, it shall be competent for that Court also to review all the previous Interlocutors pronounced in the Cause.

50 G. 3. c. 112.

6 G. 4. c. 120.

Where either Party desires it, Case to go at once to the Inner House.

XXV. All Cases of Advocation which shall come to depend before the Court of Session may be brought in the first instance before One or other of the Divisions of the Court of Session, or by Consent of both Parties before any Lord Ordinary in the Outer House, in which last Case the Judgment to be pronounced by such Lord Ordinary shall be final, and shall not be subject to Review by the Inner House, or by Appeal to the House of Lords.

Small Debt Jurisdiction extended to Causes not exceeding 12*l.*

XXVI. And with respect to Small Debt Cases not exceeding Twelve Pounds:

The Provisions of the said first-recited Act shall be extended to all Causes, Prosecutions, Applications for Sequestration and Sale, and other Actions and Proceedings of the Nature set forth in the said first-recited Act, wherein the Debt, Demand, or Penalty in question, or the Fund *in medio,* shall not exceed the Value of Twelve Pounds, exclusive of Expenses and Fees of Extract; and the said first-recited Act shall be read and construed as if the Words "Twelve Pounds" were substituted for the Words "Eight Pounds Six Shillings and Eightpence," wherever these latter Words occur in the said first-recited Act: Provided always, that in any Case in which a Decree pronounced by the Sheriff in the Small Debt Court for any Sum exceeding Eight Pounds Six Shillings and Eightpence shall have been put to execution by Imprisonment, the Party so imprisoned shall be entitled to bring such Decree under Review of the Sheriff by way of Suspension and Liberation, and such Suspension and Liberation shall proceed in the Form provided for summary Petitions by this Act.

XXVII. And

XXVII. And with respect to Proceedings before the Sheriff Court for Sequestration and Sale for Recovery or in Security of Rents, be it enacted as follows:

Proceedings in Sequestrations for Rent.

Every Petition for Sequestration and Sale for Recovery or in Security of Rents, whether such Petition be presented after the Term of Payment or *currente termino*, may contain a Prayer for a Decree for Payment of the Rent with reference to which the Petition is presented, and it shall be competent to the Sheriff to pronounce, under such Petition, Decree for Payment of such Rent or any Part thereof, and every such Decree shall be extractable in ordinary Form, and shall otherwise have the same Force and Effect in every respect as any Decree for Payment pronounced in any Petition for Sequestration and Sale in which a Decree for Payment of Rent might be competently inserted before the passing of this Act.

Petition for Sequestration may also conclude for Payment.

XXVIII. The Provisions of the said first-recited Act for the summary Trial and Determination of Sequestrations for Rent where the Rent or Balance of Rent does not exceed the Sum of Eight Pounds Six Shillings and Eightpence (and which Provisions are made applicable by this Act to Sequestrations for Rent where the Rent or Balance of Rent does not exceed the Sum of Twelve Pounds), are declared to extend, and the same are hereby extended to all Sequestrations applied for *currente termino* or in Security.

Operation of Provisions in first-recited Act extended.

XXIX. And with respect to Actions of Removing before the Sheriff Court, be it enacted as follows:

Proceedings in Actions of Removing.

It shall be competent to raise a Summons of Removing at any Time, provided there be an Interval of at least Forty Days between the Date of the Execution of the Summons and the Term of Removal, or where there is a separate Ish as regards Land and Houses or otherwise, between the Date of the Execution of the Summons and the Ish which is first in Date.

Time within which Summons may be raised.

XXX. Where any Lands or Heritages are held under a Probative Lease, specifying a Term of Endurance, such Lease, or an Extract thereof from the Books of any Court of Record, shall have the same Force and Effect in every respect as any Extract Decree of Removing obtained in any ordinary Action of Removing at the Instance of the Party, Granter of such Lease, or in the Right of the Granter of such Lease, against the Party in possession under such Lease, whether such Party in possession be the Lessee named in such Lease or not, decerning such Party in possession, his Family, Sub-tenants, Cottars, and Dependants, with their Goods and Gear, to be removed and ejected from the said Lands or Heritages at the Term or Terms corresponding to the Expiration of the Term or Terms of Endurance

Lease, containing Obligation to remove, equivalent to Decree of Removing, provided Forty Days Notice be given.

Proceedings in Actions of Removing.

Endurance specified in such Lease; and such Lease or Extract thereof shall, along with a written Authority signed by the Landlord or his Factor or Agent, be a sufficient Warrant to any Sheriff Officer or Messenger at Arms of the County within which such Lands or Heritages are situate to remove and eject such Party in possession, and his foresaids, from such Lands or Heritages on the Elapse of such specified Term or Terms respectively, and to return an Execution thereof in common Form: Provided always, that previous Notice to remove shall be given to such Party in possession, at least Forty Days before the Expiration of the Term of Endurance specified in such Lease, or where the Lease has a separate Ish as regards Land and Houses or otherwise, at least Forty Days before that Ish which is first in Date, by causing to be delivered to such Party in possession, or to be left at his ordinary Dwelling House, or to be transmitted to his known Address through the Post Office, previous to the Commencement of such Period of Forty Days, a Notice by a Sheriff Officer of the County in which such Lands or Heritages are situate, or Messenger at Arms, in the Form in Schedule (I.) annexed to this Act; and a Certificate endorsed on such Lease or Extract that such Notice has been duly given, signed by a Sheriff Officer of such County, or Messenger at Arms, and attested by One Witness, in the Form in Schedule (J.) annexed to this Act, or an Acknowledgment to that Effect endorsed thereon by such Party in possession himself, or by his known Agent on his Behalf, shall be sufficient Evidence that such Notice has been given: Provided also, that no such Removal or Ejectment by virtue of this Enactment shall be competent after Six Weeks have elapsed from the Expiration of the Term of Endurance specified in such Lease, or where the Lease has a separate Ish as regards Land and Houses or otherwise, after Six Weeks have elapsed from that Ish which is last in Date; and provided further, that nothing herein contained shall be construed to prevent any Proceedings under this Enactment from being brought under Suspension in common Form.

Letter of Removal granted by Tenant equivalent to Decree of Removing, provided Forty Days Notice be given.

XXXI. Where any Tenant in possession of any Lands or Heritages shall, whether at the Date of entering upon his Lease or at any other Time, grant a Letter of Removal, either holograph or attested by One Witness, in the Form in Schedule (K.) annexed to this Act, such Letter of Removal shall have the same Force and Effect in every respect as any Extract Decree of Removing obtained in any ordinary Action of Removing at the Instance of the Party to whom such Letter of Removal is granted, or of the Party in his Right, against the Party Granter of such Letter of Removal, or the Party in his Right as Tenant, decerning such Party Granter of such Letter, or such Party in his Right, as the Case may be, his Family, Sub-tenants, Cottars, and

Proceedings in Actions of Removing.

and Dependants, with their Goods and Gear, to be removed and ejected from the said Lands and Heritages at the Term or Terms of Removal respectively specified in such Letter of Removal; and such Letter of Removal shall be a sufficient Warrant to any Sheriff Officer of the County within which such Lands or Heritages are situate to remove and eject such Party Granter of such Letter of Removal, or such Party in his Right, and his foresaids, from such Lands and Heritages, on the Elapse of such specified Term or Terms respectively, and to return an Execution thereof in common Form: Provided always, that where such Letter of Removal shall bear Date more than Six Weeks before the Term of Removal, or the Ish first in Date, specified in such Letter of Removal, previous Notice to remove shall be given to the Party Granter of such Letter of Removal, or to such Party in his Right, at least Forty Days before such Term of Removal, or where such Letter of Removal specifies a separate Ish as regards Lands and Houses or otherwise, at least Forty Days before that Ish which is first in Date, by causing to be delivered to such Party Granter of such Letter of Removal, or to such Party in his Right, or to be left at his ordinary Dwelling House, or to be transmitted to his known Address through the Post Office, previous to the Commencement of such Period of Forty Days, a Notice by a Sheriff Officer of the County in which such Lands or Heritages are situate, in the Form of Schedule (I.) annexed to this Act; and a Certificate endorsed upon such Letter of Removal that such Notice has been duly given, signed by a Sheriff Officer of such County, and attested by One Witness, in the Form of Schedule (J.) annexed to this Act, or an Acknowledgment to that Effect endorsed thereon by the Granter of such Letter of Removal, or other Party in his Right, or by the known Agent of the Granter of such Letter of Removal, or other Party on his Behalf, shall be sufficient Evidence that such Notice has been given: Provided also, that no such Removal or Ejectment by virtue of this Enactment shall be competent after Six Weeks have elapsed from the Expiration of the Term of Endurance specified in such Letter of Removal, or where such Letter of Removal has a separate Ish as regards Lands and Houses or otherwise, after Six Weeks have elapsed from that Ish which is last in Date; and provided further, that nothing herein contained shall be construed to prevent any Proceedings under this Enactment from being brought under Suspension in common Form.

Arrears of Feu Duties for Subjects of small Amount may be sued for in Sheriff Court.

XXXII. And whereas it is desirable that the Jurisdiction of the Sheriff should be extended to Questions relating to Nonpayment of Feu Duties for real Subjects of small Amount, wherever, in Subjects not exceeding in yearly Value the Sum of Twenty-five Pounds, the Vassal shall have run in arrear of his Feu Duty for Two Years: It shall

Proceedings in Actions of Removing.

shall be competent for the Superior to raise an Action before the Sheriff, in ordinary Form, setting forth that the Subject is of the Value, and that the Feu Duty has run in arrear as aforesaid, and concluding that the Vassal should be removed from his Possession, and that Warrant to that Effect should be granted, and thereafter the Cause shall proceed in the Manner herein provided in ordinary Actions; and if the Defendant shall fail to appear, or if it shall be proved to the Sheriff by such Evidence as he may require that the Subject is of the Value, and that the Feu Duty is in arrear as aforesaid, he shall grant Warrant in Terms of the Conclusions of the Summons, which Warrant shall be executed at the First Term of *Whitsunday* or *Martinmas*, which shall first occur, Four Months after the same is issued by the Sheriff, and such Warrant, so executed, shall have the Effect, in relation to the said Possession, of a Decree of Irritancy *ob non solutum Canonem:* Provided always, that it shall be competent to the Vassal, at any Time within One Year from the Date of such Removal, to raise an Action of Declarator in the Court of Session for Vindication of such Subject on any Ground proceeding on Challenge of the Title of the Superior, which shall not be called in question before the Sheriff except on Grounds instantly verified by the Titles of the Superior, and that it shall be competent to the Vassals, at any Time before such Warrant is executed, to purge the Irritancy incurred by Payment of the Arrears pursued for with the Expenses incurred by the Superior in such Proceedings; provided also, that in Leases for a longer Endurance than Twenty-one Years the Landlord shall have the like Remedies against his Tenant, in case of the Nonpayment of Rent, *mutatis mutandis*, that are hereby given to the Superior against his Vassal.

Proceedings in Criminal Prosecutions.

XXXIII. And in respect of Criminal Prosecutions before the Sheriff, be it enacted as follows:

Libels may be written or printed, or partly both, but authenticated as Libels now are.

The Principal or Record Copies of all Criminal Libels before the Sheriff Courts may be either written or printed, or partly written and partly printed, provided that the same shall be authenticated in the same Manner as the written Criminal Libels now in use are authenticated.

Libel printed or partly printed to be inserted in Record Book.

XXXIV. When a Criminal Libel in any Sheriff Court is either wholly or partly printed, a Copy of it, either wholly or partly printed, shall, instead of being copied in Writing into the Record Book of Court, as at present, be inserted in such Book, either in its proper Place in the Body thereof or at the End of the Volume wherein the relative Procedure is recorded, in which last Case it shall be distinctly referred to as so appended.

XXXV. In

Proceedings in Criminal Prosecutions.

The Will of Criminal Libels to contain Two Diets of Compearance as in Schedule, and Accused to be called upon at First Diet to plead Guilty or Not Guilty.

XXXV. In the Prosecution of all Criminal Offences which shall not be tried summarily the Will of the Criminal Libel shall contain Two Diets of Compearance in the Form of the Schedule (L.) hereunto annexed; and at the First of such Diets, which shall not be sooner than Five Days from the Service of the Libel, the Court sitting in Judgment shall call upon the accused Party to plead Guilty or Not Guilty to the Crime of which such Party may be therein accused; and if such Party shall plead Guilty the Court shall forthwith pronounce Sentence upon such Party according to the Form now in use; and if the Party accused shall plead Not Guilty the Trial of such Party shall take place on the Second Diet of Compearance set forth in the Will of the Libel, which Second Diet shall not be sooner than Nine clear Days after the First Diet, and at such Second Diet the Party accused shall again be called upon to plead as aforesaid, and if such Party shall then plead Guilty the Sentence of the Law shall be forthwith pronounced according to the Form now in use; and if such Party shall plead Not Guilty a Jury shall then be empannelled, and the Trial shall proceed and be followed out according to Law, unless the Diet shall be further adjourned or deserted according to the existing Law and Practice.

Sheriff not to ask Party more than once to plead.

XXXVI. It shall not be necessary for the Sheriff at each such Diet to ask the Party accused more than once whether such Party pleads Guilty or Not Guilty.

Salaries of Sheriffs and Sheriff Substitutes.

Salaries of Sheriffs and Sheriff Substitutes may be increased.

XXXVII. And with respect to the Salaries and Remuneration of Sheriffs and Sheriff Substitutes, be it enacted as follows:

It shall be lawful to grant to any Sheriff such Salary as to the Commissioners of Her Majesty's Treasury may seem meet, not being less than Five hundred Pounds by the Year, and to any salaried Sheriff Substitute now in Office, or to his Successor, or to any Sheriff Substitute who may be hereafter appointed by virtue of this Act, such Salary as to the Commissioners of Her Majesty's Treasury may seem meet, the same not in any Case exceeding One thousand Pounds by the Year, and not less than Five hundred Pounds by the Year; and every Salary payable to such Sheriff or Sheriff Substitute shall be paid by Four equal quarterly Instalments out of the Funds from which the Salaries of Sheriffs are payable; and it shall be lawful for Her Majesty and Her Heirs and Successors, upon the joint Recommendation of the Lord President of the Court of Session, Her Majesty's Advocate, and the Lord Justice Clerk, all for the Time being, to grant Authority to any Sheriff to appoint One or more additional Sheriff Substitutes: Provided always, that such joint Recommendation shall expressly bear that the Appointment of such additional Officer or Officers is essentially necessary for the Public Service; and provided also, that no more

and additional Sheriff Substitutes may be appointed.

Salaries of Sheriffs and Sheriff Substitutes.

more than Two additional Sheriff Substitutes in each County shall be appointed under the Powers hereby conferred.

Provision for Retiring Allowance to Sheriffs and Sheriff Substitutes disabled after long Service.

XXXVIII. It shall be lawful for the Commissioners of Her Majesty's Treasury to grant to any Person who has held, now holds, or may hereafter hold the Office of Sheriff Substitute such Annuity as is by the said second-recited Act authorized to be granted in respect of long Service for One or other of the Periods specified in the said second-recited Act, notwithstanding such Service may not have been continuous, and may have been in different Counties; and the said Commissioners shall have the same Powers of granting Annuities to Sheriffs in respect of long Service as are conferred by the said second-recited Act and by this Act with reference to Sheriff Substitutes, and such Annuities shall be payable out of the Funds from which the Salaries of Sheriffs are payable: Provided always, that no such Annuity shall be granted to any Sheriff or Sheriff Substitute, unless the Periods of his actual Service as Sheriff or Sheriff Substitute, as the Case may be, shall, when taken together, extend to One or other of the Periods of Service specified in the said second-recited Act; and that in computing the Amount of Retiring Allowance of such Sheriffs the Emoluments drawn by them on Average of the Five preceding Years shall be held to constitute their Salary.

Sheriffs Salaries to be in lieu of all Fees, &c.

XXXIX. The Salaries henceforth to be paid to the Sheriffs and Sheriffs Substitute shall be in full of all Fees and Emoluments whatever.

Commissions to Sheriffs Substitute to extend over the whole County.

XL. The Commissions already granted or to be granted by all Sheriffs to the Sheriffs Substitutes shall extend over the whole County.

Compensation to Sheriff Clerks.

XLI. In case the Operation of this Act shall affect the Emoluments of any Sheriff Clerk not now paid by Salary, it shall be competent to such Sheriff Clerks to apply to the Commissioners of Her Majesty's Treasury of *Great Britain* and *Ireland*, who shall have Power, upon Proof to their Satisfaction of the Diminution of the Emoluments of such Sheriff Clerks through the Operation of this Act, to award such Compensation to such Sheriff Clerks respectively as to the said Commissioners shall seem just; and it shall be in the Power of any such Sheriff Clerk to require that he should be paid by Salary, in Terms of the said recited Act First and Second *Victoria*, Chapter One hundred and nineteen; and it shall be lawful to the Commissioners of Her Majesty's Treasury to adjust the Salary of every Sheriff Clerk now in Office, and who is paid by Salary, regard being had to the Expenses of such Office, as may seem to them just.

XLII. And

Sheriff Courts (Scotland).

Provision for the Sittings of Sheriff Courts, &c.

XLII. And with respect to the Sittings of the Sheriff Courts, and the more efficient Operation of this Act, be it enacted as follows:

Sheriff Courts to sit such Days during Session for Despatch of Civil Business as may be fixed by Sheriff and approved of.

Each Sheriff Court, except those held at a Place where an ordinary Sheriff Substitute does not reside, shall sit for the Despatch of ordinary Civil Business for such Number of Days weekly during the Session as shall be fixed by each Sheriff by a Regulation of Court, to be approved of by the said Lord President and Lord Justice Clerk, and to be advertised at least once a Year in a Newspaper published in the County, or where there is no such Newspaper, in a Newspaper published in some County immediately adjoining.

Sheriffs to hold Three Sessions in each Year.

XLIII. Each Sheriff shall hold Three Sessions in each Year, the First of which shall commence on the Fifteenth Day of *January*, or the First ordinary Court Day thereafter, and shall continue until the Fifteenth Day of *March* following, and the Second shall commence on the Third Day or the Fourth Day of *April*, and shall continue until the Thirty-first Day of *July* following, and the Third shall commence on the First Day of *October*, or the First ordinary Court Day thereafter, and shall continue until the Fifteenth Day of *December* following; and in case at any Time there shall be any Arrear of Business undisposed of, it shall be the Duty of the Sheriff from Time to Time to appoint additional Court Days, whether in Time of Session or Vacation, for the Purpose of disposing of such Arrear.

Sheriff may act in Time of Vacation.

XLIV. All summary Causes may proceed equally during Vacation as during Session; and it shall be competent to the Sheriff, if he thinks fit, to pronounce Interlocutors in Time of Vacation, in all Causes, whether summary or not.

Sheriff to fix One Court Day in each Vacation for Despatch of ordinary Court Business.

XLV. The Sheriff shall, before the Termination of each Session, appoint at least One Court Day during each Vacation for the Despatch of all ordinary Civil Business, including the calling of new Causes, and the Receipt of Condescendences, Defences, and other Papers, which, if the Court had not been in Vacation, would have required to be previously lodged.

Sittings to be held by Sheriffs in their Counties.

XLVI. Every Sheriff shall, unless prevented by Indisposition or other unavoidable Cause, hold annually in his County Sittings for the Discharge of the Judicial Business of the County; that is to say, the Sheriffs of *Sutherland*, *Caithness*, and *Inverness*, *Ross* and *Cromarty*, *Argyle*, *Banff*, and *Elgin* and *Nairn*, shall hold Three such Sittings, and the Sheriffs of the other Counties shall hold Four such Sittings, in the course of the Year; and such Sittings shall continue until the Causes ready for Trial or Hearing when such Sittings commence be disposed of; and such Sittings shall,

Provision for the Sittings of Sheriff Courts, &c.

shall, except as regards the Counties of *Ross*, *Inverness*, and *Argyle*, be held at each of the Places within his County at which the ordinary Courts of the Sheriff Substitutes are held, and such other Places as the Sheriff, with Approval of the Secretary of State for the Home Department, may appoint, and as regards the Counties of *Ross*, *Inverness*, and *Argyle* at such Places as the Sheriff, with Approval of the Secretary of State, may appoint: Provided always, that the Sheriffs of the said Three Counties shall at least twice a Year hold One such Sitting at each of the Places at which the ordinary Courts of the Sheriff Substitutes are held; and each Sheriff shall give due Notice to the County of the Times and Places of such Sittings, and such Sittings shall take place at Intervals of not less than Six Weeks; and each Sheriff shall, once in the Year, go on the Small Debt Circuit in use to be held by the Sheriff Substitute, and shall on such Occasions, in addition to holding the Small Debt Court, despatch as much of the ordinary Business as may be ready for Adjudication, or as Time may permit; and each Sheriff shall annually, within Ten Days after the Twelfth Day of *November*, make a Return to Her Majesty's Principal Secretary of State for the Home Department of the Number of Sittings held by him, and of the Periods of holding each such Sitting, in the immediately preceding Year, stating the Cause of Absence in case the Sittings herein-before directed shall not have been held by him in Terms of this Act; provided that none of the said Provisions shall extend to the Counties of *Orkney* and *Shetland*, and *Midlothian* and *Lanark*; and so much of an Act passed in the First and Second Year of the Reign of Her present Majesty, intituled *An Act to regulate the Constitution and Jurisdiction and Forms of Process of the Sheriff Courts in* Scotland, as relates to the Courts to be held by each Sheriff Depute in his County, excepting the said Counties of *Orkney* and *Shetland*, is hereby repealed.

1 & 2 Vict. c. 119.

Sheriff may sign Interlocutors when furth of his County.

XLVII. It shall be lawful for any Sheriff to pronounce and sign any Interlocutor, Judgment, or Decree when furth of his Sheriffdom; and such Interlocutor, Judgment, or Decree shall have all the like Force and Effect as if pronounced and signed by the Sheriff while within the Limits of his Sheriffdom.

Privilege of Members of College of Justice abolished.

XLVIII. No Person whatsoever shall be exempt from the Jurisdiction of the Sheriff Court, in any Cause, on account of Privilege by reason of being a Member of the College of Justice.

Court of Session to frame Tables of Fees.

XLIX. The Court of Session shall be and is hereby authorized and required to frame from Time to Time a Table or Tables of Fees for Business in the Sheriff Courts of *Scotland*, and such Table or Tables of Fees so framed shall be submitted to the Secretary of State

State for the Home Department, and if approved of shall form the Rule of professional Charge for Business performed in such Courts.

Provisions for the Sittings of Sheriff Courts, &c.

L. In construing this Act, unless where the Context is repugnant to such Construction, the Word "Sheriff" shall be held to include "Sheriff Substitute;" the Word "Tenant" shall include Sub-tenant; and the Word "Lease" shall include Sub-lease.

Interpretation Clause.

LI. The said recited Acts, and all Laws, Statutes, Acts of Sederunt, and Usages now in force, shall be and the same are hereby repealed, but that in so far only as may be necessary to give effect to the Provisions of this Act, and no further or otherwise.

Recited Acts, &c. repealed.

LII. This Act shall take effect from and after the First Day of *November* One thousand eight hundred and fifty-three.

Act to take effect from 1st Nov. 1853.

SCHE-

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Petitory Summons.

A.B., Sheriff of the County of to Officers of Court, jointly and severally: Whereas it is shown to me by *C.D.* [*design him*], Pursuer, against *E.F.* [*design him*], Defender, in Terms of the Conclusions under-written: Therefore the Defender ought to be decerned to pay to the Pursuer the Sum of contained in a Bill drawn by the Pursuer upon and accepted by the Defender, dated and payable after Date, with the legal Interest thereof, till Payment [*or* to make Delivery to the Pursuer of sold by the Defender to him; *or* to pay to the Pursuer the Sum of for Goods sold by the Pursuer to the Defender, per Account commencing the Day of and ending the Day of annexed hereto; *or* to pay to the Pursuer the Sum of being Damages sustained by the Pursuer, in consequence of the Defender having slandered the Pursuer by stating *or otherwise, according to the Nature and Circumstances of the Action*], with Expenses: And my Will is that ye summon the Defender to compear in my Court House, at upon the Sixth Day next after the Date of your Citation, in the Hour of Cause, with Continuation of Days, to answer in the Premises; with Certification, in case of Failure, of being held as confessed; [*and if Arrestment on the Dependence is required, add*] and that ye arrest in security the Defender's Goods, Monies, Debts, and Effects. Given at the Day of

G.H., Sheriff Clerk.

Summons of Count and Reckoning and Payment.

A.B., *&c.* [*as before*]: Whereas, *&c.* [*as before*]: Therefore the Defender ought to be decerned to produce before me a full Account of his Intromissions as Cashkeeper to the Pursuer [*or otherwise, as the Case may be*], that the true Balance due to the Pursuer thereon may be ascertained; and the Defender should be decerned to pay to the Pursuer such Sum as may be found to be the true Balance on said Account, with the Interest which may be due thereon; and if he fail to produce such Account the Defender should be decerned to pay to the Pursuer the Sum of which should in that Case be held to be the Balance due, with Interest thereon from the Day of with Expenses: And my Will is, *&c.* [*as before*].

Summon

Summons of Multiplepoinding.

A.B., &c. [*as before*]: Whereas it is shown to me by *A.B.* [*design him*], Pursuer, against *C.D.* [*design him*], common Debtor, and *K.L.* [*insert Names and Designations of the other Defenders, and state who is the real Raiser*], alleged Creditors of the said *C.D.*, in Terms of the Conclusions under-written: Therefore it should be declared that the Pursuer is Holder of a Fund in medio, [*specify the Amount or Nature of it*], and is only liable in single Payment of the said Fund to those having Right thereto; and the Defenders should produce their Claims, and the Pursuer should be decerned to pay the said Fund, deducting his Expenses of Process, in such way as may be just; and such of the Defenders as shall be found to have no Right should be prohibited from troubling him in Time coming: And my Will is, *&c.* [*as before*].

SCHEDULE (B.)

[*Date.*] *Reponing Note.*

In the Action *A.* against *B.*

The Defender craves to be reponed against the Decree in absence, dated [*add, where necessary,* so far as unimplemented.] The Expenses decerned for are consigned with the Sheriff Clerk.

A., Defender.

[*Or*] *C.*, Agent for Defender.

SCHEDULE (C.)

Notice of Appearance.

In the Action *A.* against *B.*

B. [*design him*], Defender, enters Appearance to defend said Action.

B., Defender.

[*Or*] *D.*, Agent for Defender.

SCHEDULE (D.)

Minute at the first calling of Cause, and where Defender makes Compearance.

Edinburgh 1853 Act Alt

The Defender's Procurator stated that the Defence was [*here state succinctly the Ground of Defence, dilatory or peremptory, as*] no Title to pursue, *or* Prescription, *or* the Goods specified in Account libelled were not ordered or not received by Defender, *or* Compensation, conform to Account due by Pursuer, amounting to £ herewith produced, *or* the Defender, who was Drawer of the Bill sued on, received no Notice of Dishonour, *or otherwise, in like Manner as the Case may be.*

SCHEDULE (E.)

Petition.

Unto the Sheriff.

A. B.

v.

C. D.

Or, In the Action presently before your Lordship,

A. B.

v.

C. D.

The Petitioner humbly showeth,

That [*here state briefly the Circumstances, as*] of this Date the Effects of were duly sequestrated, and it is now necessary to sell, *or* Whereas an Action between for the Price of a Horse is now depending before your Lordship, and it is expedient or necessary to sell the said Horse, *or* In consequence of wrongously and unwarrantably using, or disposing of and making away with, *or* encroaching on, *or* withholding and refusing Delivery of, the Property, Effects, *or* Documents of, *as the Case may be.*]

May it therefore please your Lordship to grant Warrant of Sale, *or* for Delivery, *or* for Interdict, *&c. &c. &c.*

SCHEDULE (F.)

Form of Execution of Summons or Petition.

This Summons [*or* Petition] executed [*or* served] by me [*insert Name*] Sheriff Officer, against [*or* upon] [*insert Name or Names*] Defender, [*or* Defenders, *or* Respondent *or* Respondents], [*state whether personally or otherwise*], in Presence of [*insert Name and Designation of Witness*], this Day of Eighteen hundred and Years.

E.F., Sheriff Officer.

L.M., Witness.

SCHEDULE (G.)

Citation of Witnesses and Havers.

C. D. [*design him*]. You are hereby cited to attend in the Sheriff Court of the County of on the Day of at o'Clock, within to give Evidence for the Pursuer [*or* Defender] in the Action at the Instance of *A.* [*design him*], Pursuer, against *B.* [*design him*], Defender, and that under the Penalty of Forty Shillings Sterling if you fail to attend. [*If a Haver, say,*] And you are required to bring with you [*specify Documents required*]. Dated this Day of

E. F., Sheriff Officer.

Execution

Execution against Witnesses and Havers.

Upon the Day of I duly cited *C.D.* [*design him*] to attend in the Sheriff Court of the County of on the Day of at o'Clock, within to give Evidence for the Pursuer [*or* Defender], in the Action at the Instance of *A.* [*design him*], Pursuer, against *B.* [*design him*], Defender. [*If a Haver, say,*] And I also required him to bring with him [*specify Documents*]. This I did by delivering a just Copy of Citation to the above Effect, signed by me, to the said *C.D.* personally [*or otherwise, as the Case may be*].

E.F., Sheriff Officer.

SCHEDULE (I.)

Notice to remove.

[*Place and Date.*]

You are required to remove from the Farm of [*insert Name by which usually known*], at the Term of next, as to the Houses and Grass, and at the Separation of the Crop from the Ground as to the Arable Land [*or as the Case may be*], in Terms of the Lease thereof [*or* in Terms of your Letter of Removal], dated

E.F., Sheriff Officer.

[*Address*] *G.H.*
[*design him.*]

SCHEDULE (J.)

Certificate of Notice to remove.

[*Place and Date.*]

I, *E.F.*, Sheriff Officer of the County of certify, that on the Day of Notice to remove, in Terms of this Lease [*or* Letter of Removal] at next [*according to the Terms of the Notice*], was, in Presence of *L.M.* [*design him*], subscribing Witness, given by me to *G. H.*, the Tenant, by delivering such Notice to him personally [*or* by leaving such Notice at his ordinary Dwelling House at , *or* by transmitting such Notice to him through the Post Office to his known Address, as follows: (*insert Address to which Notice sent*)].

E.F., Sheriff Officer.

L.M., Witness.

SCHE-

SCHEDULE (K.)

Letter of Removal.

[*Place and Date.*]

SIR,—I am to remove from the Farm of [*insert Name by which usually known*], at the Term of Eighteen hundred and , as to the Houses and Grass, and at the Separation of the Crop from the Ground as to the Arable Land [*or as the Case may be*].

I am,
Your obedient servant,
[*Signed by the Tenant.*]

[*Address.*]

Note.—If this Letter is not Holograph of the Granter of it, it must be attested by One Witness, thus,—

L.M., Witness.

SCHEDULE (L.)

Herefore it is my Will, and I command you, that on Sight hereof ye pass, and in Her Majesty's Name and Authority and mine lawfully summon, warn, and charge the said [*accused Party*] to compear personally before me, or any of my Substitutes, in a Court to be holden by us, or any of us, at upon the Day of in the Hour of Cause, at o'Clock, Forenoon, for the First Diet, there to plead Guilty or Not Guilty, and to underlye the Law for the Crimes above mentioned; and also, if required, upon the Day of for the Second Diet, at o'Clock, Forenoon, again to plead Guilty or Not Guilty, and to underlye the Law as aforesaid; as also, if required for the said Second Diet alternately, that ye summon an Assize hereto, being not fewer than the Number of Forty-five Persons, together with such Witnesses as best know the Verity of the Premises, whose Names are hereto subjoined in a List subscribed by the Complainer personally, or at their Dwelling Places, all to compear before me or any of my Substitutes, Time and Place of said Second Diet of Compearance.

[*And so on to the End of the Will now in common Use.*]

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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Order of the Commissioners under any Commission of Bankruptcy, the like Sum of One Shilling, to be paid by the Party making such Search: And whereas in the Month of *March* last the said Office of Registrar of Meetings having become vacant by the Death of *Jeremiah Hodgson*, the then Holder thereof, *John Frederic Buccleugh* was appointed to the said Office, but on the express Condition that he should hold the same subject to any Reduction which might thereafter be made in the Emoluments to be received by him as such Registrar: And whereas the Fees receivable by the said Registrar for his own Use have on an average of the last Four Years produced a Sum of between Two hundred and forty Pounds and Two hundred and fifty Pounds, and it is expedient that the Salary and Emoluments of the said Office should be reduced in manner herein-after mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: From and after the passing of this Act the yearly Salary payable to the said Registrar of Meetings shall be the Sum of One hundred Pounds only instead of Two hundred Pounds, and the Fee receivable by him for his own Use for the Registry of every Meeting holden in the said Building after the passing of this Act shall be Sixpence instead of One Shilling.

The yearly Salary of Registrar of Meetings to be 100*l.*, and Fee for Registry of Meetings to be 6*d.*

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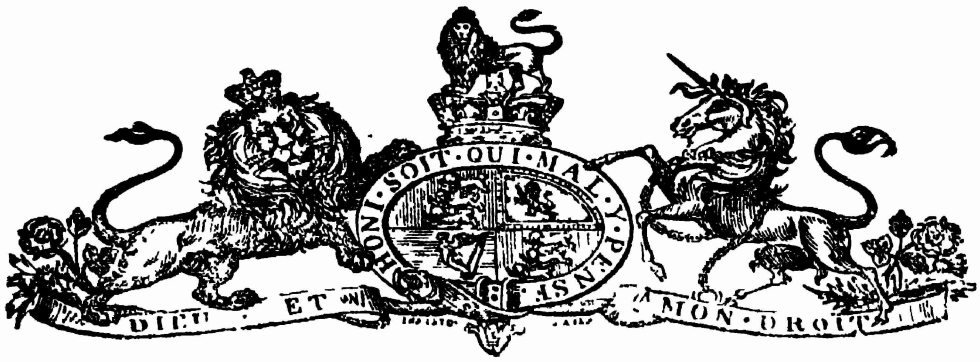
Printers to the Queen's most Excellent Majesty. 1853.



ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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Instruction, both in Letters and Divinity, by competent Instructors, and by the aforesaid Charter the House or Priory of the Preaching Friars at *Brecknock*, and all Edifices, Lands, and Property which belonged to that Priory at the then late Dissolution thereof, were given and confirmed by His Majesty to the Bishop of *Saint David's* and his Successors, and Power and Authority were given to the Bishop and all Prebendaries or Ministers of the College then existing at *Abergwilly* within the Diocese of *Saint David's*, of which the Bishop was Dean, and all Schoolmasters, Preachers, and other Persons, to frequent, inhabit, and abide in the Possessions of the Priory, and Power and Authority were also given to the Bishop of *Saint David's* to transfer the Prebendaries and other Ministers of the College of *Abergwilly* to the College of *Christ* of *Brecknock*, and His Majesty did grant that all Lands, Advowsons, Hereditaments, and Rights belonging to the College of *Abergwilly* or the Fabric thereof should be held and enjoyed by the Bishop and Prebendaries, to the Use, Support, and Maintenance of the College of *Christ* of *Brecknock;* and shortly after the Date of the said Charter the College of *Abergwilly*, with its Possessions and the Prebendaries and the Ministers thereof, were duly transferred to the College of *Christ* of *Brecknock:* And whereas for many Years before and up to the Time of the passing of the Act of the Third and Fourth Years of the Reign of Her Majesty, herein-after recited, the Collegiate Body of the said College of *Christ* of *Brecknock* consisted of a Dean, being the Bishop of *Saint David's* for the Time being, and holding the Prebend of *Llangadock* and the Church or Parsonage of *Mothvey* in right of such Deanery, a Treasurer, formerly holding in right of that Office the Prebend of *Llangammarch*, but which Prebend by an Act passed in the Twelfth Year of the Reign of Queen *Anne*, was severed from the said College, and annexed to the See of *Saint David's*, a Precentor, holding in right of that Office the Prebend of *Llanfynydd*, a Chancellor, holding in right of that Office the Prebend of *Llanbister*, and Nineteen other Prebendaries, holding certain Prebends in right of their respective Offices, a Particular of all which said several Dignities, with the Endowments thereof, and of several yearly Pensions accustomed to be paid thereout for the Purposes of the said College, and which have been latterly applied in Payment of the Stipend of a Schoolmaster and Lecturer in Divinity for the said College, is set forth in the First Schedule to this Act: And whereas in process of Time the Church and Buildings belonging to the said College have fallen into and are now in a State of Decay, and the annual Payments accustomed to be made by the said Dean and Prebendaries for the Purposes of the College are inadequate to place the Foundation upon an efficient Footing: And whereas by an Act passed in the Session holden in the Third and Fourth

Years

Years of the Reign of Her Majesty, intituled *An Act to carry into effect, with certain Modifications, the Fourth Report of the Commissioners of Ecclesiastical Duties and Revenues*, the Deanery of the said College will on the next Vacancy thereof become suppressed, and all the Lands, Tithes, Tithe Rentcharges, and other Hereditaments (excepting any Rights of Patronage), and all other Emoluments and Endowments belonging to the said Deanery, will on such Avoidance become absolutely vested in the Ecclesiastical Commissioners, and all the Lands, Tithes, and other Hereditaments (excepting Rights of Patronage) belonging to the respective Dignities or Offices of Treasurer, Precentor, Chancellor, and the several Prebendaries or other Officers of the said Collegiate Church (except as to such Parts thereof as are permanently annexed to the said Bishopric) have already, as to such of the said Dignities and Offices as were vacant at the passing of this Act or have since become vacant, and as to all others will immediately upon the next Vacancies thereof respectively, become vested absolutely in the Ecclesiastical Commissioners for *England*, and their Successors, for the Purposes of the said Act, subject nevertheless to such Leases as at the respective Times of such Vacancies occurring were or shall be subsisting and in force; but in the said Act is contained a Proviso that nothing therein contained should in any Manner apply to or affect any Dignity, Office, or Prebend which was permanently annexed to any Bishopric, Archdeaconry, Professorship, or Lectureship, or to any School, or the Mastership thereof: And whereas Eleven of the Prebends in the said Collegiate Church have become vacant, and are so distinguished in the First Schedule to this Act, and all the Lands, Tithes, and other Hereditaments constituting or belonging to the said last-mentioned Prebends (excepting Rights of Patronage) have become vested (subject to the subsisting Leases affecting the same) in the said Ecclesiastical Commissioners, for the Purposes of the said Act: And whereas, in order to provide for the Restoration of the Fabric of the said Collegiate Church and Buildings to a proper Condition of Repair, and for augmenting the Endowment of the said College, with a view to carry out in an efficient Manner, and with greater Advantage, the Purposes for which the said College was founded by the said Royal Charter, as in this Act is before expressed, a Proposal has been agreed upon by the said Ecclesiastical Commissioners and the Right Reverend *Connop Thirlwall* D.D., the present Bishop of *Saint David's* and Dean of the said Collegiate Church, that the Lands and Hereditaments situate at *Brecknock*, described in the First Part of the Second Schedule to this Act, at present held by the said Bishop, and also the said Prebend of *Llangadock*, and Parsonage of *Mothvey*, respectively described in the Second Part of the said Second Schedule to this Act, (whether the same

3 & 4 Vict. c. 113.

same respectively be held by the said Bishop in right of his said Bishopric of *Saint David's* or of the said Deanery,) should be relinquished and given up by him, in consideration of his receiving such Compensation for the same as is herein-after provided for, and that the same Lands and Hereditaments, Prebend, and Parsonage, with the annual Pensions in the First Schedule mentioned as accustomed to be paid in respect of the said several Prebends therein set forth until the same shall respectively become vacant, and also a Portion, to be ascertained as herein-after mentioned, of the annual Revenues of the said Estates belonging to the said Prebends, or a specific Portion of the same Prebends, subject to the Interests of the present Holders thereof, should be permanently settled as an Endowment for the said College: And whereas it is expedient that the said College should be put upon a proper Footing of Government and Regulation, and be subject to suitable Constitutions, Ordinances, Statutes, and Regulations: But inasmuch as the aforesaid Objects cannot be carried into effect without the Aid and Authority of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Constitution of College of Christ of Brecknock.

I. That the said College of *Christ* of *Brecknock* shall from and after the passing of this Act, and at all Times for ever thereafter, continue and be constituted a College and Collegiate School, to be called "The College of *Christ* of *Brecknock*," for affording Instruction, in Letters and Divinity according to the Articles and Formularies of the United Church of *England* and *Ireland*, and in other Branches of useful Knowledge, by competent Instructors, including a Divinity Lectureship, and for Encouragement to meritorious Scholars for their Advancement in Learning.

Government of College to be vested in Trustees nominated under Order of Court of Chancery.

II. All the Constitutions, Ordinances, Statutes, and Regulations affecting or relating to the said College of *Christ* of *Brecknock*, whether under or by virtue of the aforesaid Royal Charter, or otherwise, shall be and the same are hereby repealed; and the said College, and all and singular its Endowments, Property, and Revenues, and the Government and Management of the said College, shall, on the due Appointment of a governing Body as herein-after provided, be vested in such Persons, of whom the Bishop of the Diocese shall be One, and their Successors, possessing such Qualifications and to be nominated in such Manner and under and subject to such new or other Ordinances, Statutes, Rules, and Regulations respectively as, having regard to the fundamental Principles and Constitution of the

the said College in this Act before expressed, shall from Time to Time be expressed and contained in any Scheme or Schemes which shall be approved of and confirmed by an Order or Orders of the High Court of Chancery to be obtained under the Provisions in this Act contained; and the Persons so nominated, and their Successors, shall be a Body Corporate by such Name or Style as shall be declared by such Order, and shall have and use a Common Seal, and by that Name shall have perpetual Succession, and shall and may sue and be sued in all Courts and Places, and shall and may take, purchase, and hold Lands and Real Estates and other Property in trust for the Purposes of the said College and School, according and subject to the Powers and Provisions of this Act, and all the Powers of the said Corporation may be exercised so long as there shall be Three Members thereof; provided that notwithstanding the Incorporation of the Persons so to be nominated as aforesaid the individual Members of such Corporate Body shall in the Exercise of the Powers and Trusts to be vested in them be responsible in like Manner as other Trustees for the due Execution of the Trust reposed in them: Provided also, that until the Appointment of such governing Body, the said College, its Endowments, Property, and Revenues, shall be and continue vested in the Ecclesiastical Commissioners, subject to the Provisions of this Act.

Lands and Hereditaments to be discharged from Uses and Trusts of Charter of Henry VIII.

III. The Lands and Hereditaments described in the First Part of the Second Schedule to this Act, including the Site of the Church, Schoolhouse, Buildings, Ground, and Premises belonging to the said Collegiate Church of *Christ* of *Brecknock*, and also the said Prebend or Portion of the Prebend of *Llangadock* and Parsonage of *Mothvey*, described in the Second Part of the said Second Schedule, and all and singular other the Lands, Tithes, Tithe Rentcharges, Tenements, and Hereditaments belonging to the said Collegiate Church, or to any One or more of the respective Dignities or Offices of Dean, Treasurer, Precentor, Chancellor, Prebendaries, or any other Dignity or Office, Dignities or Offices, in or connected with the said Collegiate Church, shall from and after the passing of this Act (but subject and without Prejudice as to the Prebendaries of the respective Prebends not vacant at the passing of this Act to the Rights and Interests of the present Holders thereof so long as they continue to hold the same, and subject and without Prejudice to such Leases as shall then legally affect the same respectively) be absolutely and for ever discharged of and from all the Uses, Trusts, or Purposes to or for which the same Hereditaments and Estates are or may be subject or liable to be held or applied pursuant to the said Royal Charter of the Thirty-second Year of the Reign of King *Henry* the Eighth,

Eighth, or any other Royal Charter or Charters, or Act or Acts of Parliament, or otherwise howsoever, and of and from all Right, Title, or Interest of the said *Connop* Bishop of *Saint David's*, and his Successors, Bishops of *Saint David's* for the Time being, or any Lecturer or Master of the said College and School (the Proviso in the said Act of the Third and Fourth Years of Her Majesty's Reign contained and herein-before recited in anywise notwithstanding); provided that nothing in this Act contained shall discharge the present Holders of any of the said Prebends or other Offices from their respective Liabilities for the Payment of the yearly Pensions or Sums mentioned in the First Schedule to this Act to be payable in respect thereof, or to discharge any of such present Holders, or the Representatives of any deceased Holders of any of the said Prebends or Offices, from their respective Liabilities on account of the Dilapidations in the State and Condition of the said Collegiate Church and Buildings, but all such Liabilities may be enforced by the said Ecclesiastical Commissioners, or, at their Request, but not otherwise, by Her Majesty's Attorney General, for the Benefit of the said College, by all such Ways and Means as might have been had or taken by the said Attorney General against any Person or Persons, Body or Bodies Corporate or Collegiate, if this Act had not been passed.

Not to discharge present Holders or Representatives of deceased Holders from Pensions and Dilapidations.

Endowment of College.

IV. All and singular the Lands and Hereditaments described in the First Part of the Second Schedule to this Act, including the Site of the said Church, Schoolhouse, and other Buildings, Ground, and Premises belonging to the said College, and the said Prebend of *Llangadock* and Parsonage of *Mothvey*, described in the Second Part of the same Schedule, together with the yearly Pensions or Sums mentioned in the First Schedule to this Act to be payable by the said several Prebendaries of the said Prebends, not being vacant at the passing of this Act as aforesaid, so long as they shall respectively continue to hold the same, and also One Half Part of the reserved Rents payable in respect of any of the said Prebends already vacant, and which shall become payable in respect of the other Prebends from the respective Periods of the same becoming vacant, under any Leases lawfully granted or to be granted by any of the Prebendaries of the said College, except the said Prebend of *Llangammarch*, so long as any such Lease or Leases shall continue, and One equal Sixth Part of and in the net Rents and Profits for the Time being arising from all the Prebends mentioned in the said First Schedule, except the said Prebend of *Llangammarch*, which shall accrue from and after the Vacancy of such Prebends respectively, and the Determination of such Leases as aforesaid, whichever shall last happen, or such specific Prebend or Prebends, or such specific Part of any Prebend or Prebends, as may hereafter be appropriated in

in lieu of such One Half Part of the reserved Rents, and One Sixth Part of the Rents and Profits, as herein-after provided, shall (subject and without Prejudice as in this Act is before mentioned) be and constitute the general Endowment and Property of the said College and School, and the same shall be and become vested, without any other Conveyance than the Authority of this Act, in the Persons who shall be nominated in a Scheme to be approved of by the said Court of Chancery as the governing Body of the said College by such Name or Style of Incorporation as shall be expressed in such Scheme, and their Successors for ever, in trust for the said College and School, and be held, possessed, administered, and managed respectively by such Persons for the Benefit of the said College and School, and the Promotion of the Objects thereof, in such Manner, with such Powers and Authorities, as are in this Act contained, and under and subject to such Statutes, Ordinances, Rules, and Regulations as shall be prescribed and directed by such Scheme and Order so long and so far as the same Statutes, Ordinances, Rules, and Regulations shall remain in force, and according to such new or altered Statutes, Ordinances, Rules, and Regulations as from Time to Time or at any Time afterwards shall be made or approved of by the Court of Chancery under the Powers for that Purpose herein-after given; and that in the meantime, until such governing Body shall be appointed, the Rents, Profits, and Proceeds of such Lands and Hereditaments, and of the other Property and Endowment of the said College and School, shall be vested in and received by the Ecclesiastical Commissioners, to be dealt with as the said Court of Chancery shall from Time to Time direct.

Commissioners to provide Fund for the Restoration of Church and School Buildings.

V. The said Ecclesiastical Commissioners shall, out of their Common Fund, pay to the Persons to be nominated and incorporated as aforesaid the Sum of Five thousand Pounds, to be applied either in restoring the said Church and Collegiate and School Buildings, or in providing other more suitable Buildings on any other Site to be procured for that Purpose, or in such other Manner as the said Court of Chancery shall direct or approve, and which said Sum of Five thousand Pounds shall be and be considered in full Satisfaction of all Claims by or on the Part of the said College on account of the Rents and Profits of the Property belonging to the said College or the Dignitaries or Officers thereof (except as in this Act is otherwise provided) up to the First Day of *October* after the passing of this Act.

Payment in respect of past Rents and Profits.

VI. All the Rents and Profits which have or shall have accrued due prior to the said First Day of *October* for or in respect of the Prebend, Parsonage, Lands, and Hereditaments described in the Second Schedule to this Act, and which shall then remain due

due and unpaid by the respective Lessees or Occupiers thereof, shall belong and be payable and paid to the said Ecclesiastical Commissioners, and the said Ecclesiastical Commissioners shall have and may exercise the same Rights and Remedies for recovering or enforcing Payment thereof as if the same had accrued due to them as the immediate Lessors or Reversioners of the Lands in respect of which such Rents and Profits are payable.

Ecclesiastical Commissioners may petition Court of Chancery for Establishment of Scheme.

VII. It shall be lawful for the said Ecclesiastical Commissioners to present a Petition to the Court of Chancery for the Establishment and Administration of the said College and School; and in all Proceedings to be taken in the said Court in respect of any Scheme for that Purpose the said Ecclesiastical Commissioners shall, when the Petition or Application shall not be presented or made by them, be served with Notice, and entitled to appear thereon.

Power to acquire and hold Site.

VIII. It shall be lawful for the said Persons to be nominated and incorporated as aforesaid, and their Successors, with the Authority and under the Order and Direction of the said Court of Chancery, to purchase and hold such Piece or Pieces of Ground, to be situate in or near the Town of *Brecknock*, as shall be approved of and authorized by the said Court, as a Site or Sites for the Erection of new Collegiate and School Buildings, and suitable Premises for Occupation and Use by the Masters and Scholars of the said College, and such Ground, if and when so purchased, shall be conveyed unto or otherwise vested in and held by the Persons so to be nominated and incorporated as aforesaid, their Successors and Assigns, upon trust for the College, in such Manner as the said Court shall order or direct.

8 & 9 Vict. c. 18. incorporated with this Act as to Purchase of Lands from Persons under Disability.

IX. In case the Court of Chancery shall direct that any Part of the Property belonging to the said College by virtue of this Act shall be invested in the Purchase of any Land as a Site for the Establishment thereof, the Clauses of "The Lands Clauses Consolidation Act, 1845," with respect to the Purchase of Lands from Persons under Disability, and with respect to the Purchase Money or Compensation coming to Parties having limited Interests, or prevented from treating, or not making Title, shall be and the same are hereby incorporated with this Act, and shall apply as well to the Purchase Money to be given on any Sale as to any Money to be given upon any Exchange.

In case of Removal of Collegiate Establishment, Col-

X. In case the said Collegiate Establishment shall be removed from the present Site thereof, under the Authority herein-before specified, or in case the Church belonging thereto shall not be required exclusively for the Purposes of the said Foundation, it shall be

be lawful for the Persons so to be nominated and incorporated as aforesaid, or their Successors, with the Assent of the Bishop of the Diocese for the Time being, and with the Sanction of the said Court of Chancery, to appropriate and set apart the said Church or such Portion of the said Church as may be by them considered expedient, as and for the Parish Church of the Parish of *Saint David's, Brecknock*, in lieu of the present Parish Church, and to make such Arrangements respecting the present Parish Church, or the Site thereof, and upon such Terms and Conditions, and subject to the Payment of such Sum or Sums of Money, as shall be deemed advisable; and from and after such Appropriation thereof, and the Acceptance of the same by the Minister and Churchwardens of the said Parish, the said Collegiate Church or such Portion of the said Church shall for ever thereafter cease to belong to or be held in trust for the said College, and shall be such Parish Church accordingly to all Intents and Purposes.

legiate Church to become the Parish Church of Saint David's, Brecknock.

XI. It shall be lawful for the Persons so to be nominated and incorporated, and their Successors, with the Authority and under the Order and Direction of the said Court of Chancery, from Time to Time to borrow and raise any Sum or Sums of Money on the Security of the Estates and Property belonging to the said College or any Part thereof; and for the raising of any such Loan or Loans from Time to Time to mortgage all or any Part of the said Estates to such Person or Persons, in such Manner, and subject to such Provisions and Restrictions as to the Interest to be paid on such Loans and the Repayment of the Principal thereof, and the Reservation of a Fund for such Repayment, and otherwise, as shall be mentioned and provided in and by any such Scheme sanctioned as aforesaid, or in or by any Order or Orders of the said Court of Chancery.

Power to borrow Money.

XII. It shall be lawful for the Persons so to be nominated and incorporated, and their Successors, in accordance with the Rules and Provisions to be contained in the Scheme to be approved and confirmed as aforesaid, or with any Order or Orders of the said Court of Chancery, and for giving full Effect to the same, from Time to Time to let and demise, and contract for the letting or demising of all or any Part of the Estates belonging to the said College, (other than and except the Collegiate and School Buildings, Yard, and Premises for the Time being used or required for the Purposes thereof,) for such Term or Terms of Years, in such Manner and as to any Building Lease or Contract for any Building Lease as in any such Scheme, Order or Orders, may be mentioned or provided, and also from Time to Time, with the Sanction and Approbation of the said Court of Chancery, to be obtained on Petition, to

Powers of Leasing and Management of Estates.

sell and convey, or to exchange or otherwise dispose of, and also to contract for the Sale and Conveyance or Exchange or other Disposition of all or any Part of the Estates and Property belonging to the said College, freed and discharged from all charitable and other Trusts affecting the same, at such Price or Prices, for such Considerations, upon such Terms and Conditions, in such Manner, and with and subject to such Powers and Provisions and such Declarations as to the Re-investment of the Money to be produced by any such Sale, Exchange, or Disposition in the Purchase of Lands and Hereditaments, or on Government or Real Securities, or otherwise, as the said Court of Chancery shall from Time to Time authorize or direct, and also to make and execute all or any such Deeds, Leases, and Conveyances, and accept all or any such Surrenders, and to make and enter into all or any such Contract or Contracts and Arrangements, and do all or any such Acts, Matters, and Things whatsoever in or for the Administration or the Improvement or better Management of the said Estates and Property, and the Income thereof, or any Part thereof respectively, as the said Court of Chancery shall or may from Time to Time authorize and sanction or direct.

For Investment of surplus Income.

XIII. All or any Monies and surplus Income arising or to arise from the Estates or Property of the said College which shall or may from Time to Time remain and be unapplied and unappropriated under or according to the Provisions of this Act, or of any such Scheme and Order as aforesaid, may from Time to Time, with the Approbation and Sanction of the said Court of Chancery, to be obtained as herein-after provided, when and as the same shall amount to a competent Sum, be laid out and invested by the said Persons so to be nominated and incorporated as aforesaid, and their Successors, in the Purchase of Real Estate and Hereditaments or of Government or other Securities, to be respectively conveyed unto or transferred into the Names of such Persons, and their Successors, and to be held and possessed respectively by them in such Manner and Form and upon such Trusts for the Benefit of the said College as the said Court shall or may order or sanction and direct.

Application to Court to be "In the Matter of the College of Christ of Brecknock."

XIV. In all Cases in which the Order, Direction, Approbation, or Sanction of the said Court of Chancery shall be necessary or required under the Provisions of this Act or of any such Scheme as aforesaid, such Order, Direction, Approbation, or Sanction may be obtained and made and given respectively by Order of the said Court made in a summary Way upon a Petition entitled "In the Matter of the College of *Christ* of *Brecknock;*" and it shall also be lawful for the said Court of Chancery from Time to Time to hear every such Petition, and to make such Order or Orders thereon, and

and (except so far as is otherwise provided by this Act) as to the Parties to be served therewith or to appear thereon, and as to the Costs, Charges, and Expenses of the Petitioner or Petitioners and all other Parties incurred by reason or in consequence thereof, as the said Court shall think fit.

Costs.

XV. The Costs, Charges, and Expenses incurred or to be incurred in or by the obtaining or passing of this Act, and of preparing the aforesaid Scheme by the said Ecclesiastical Commissioners, and also the Costs, Charges, and Expenses of all necessary Parties in or about the preparing of or consenting to any Petition or Petitions or other Proceedings for obtaining the Approval and Confirmation of the said Court of Chancery thereto, and of any Order or Orders to be made thereupon, shall be borne and paid in the first instance by the said Ecclesiastical Commissioners out of the Common Fund placed at their Disposal for the Purposes of the said Acts, and One equal Third Part of the Money which shall be applied in Payment of the said Costs, Charges, and Expenses by the said Ecclesiastical Commissioners shall be repaid to them or retained by them out of the Monies or Income belonging to the said College; and all the Costs, Charges, and Expenses of or incident to the carrying into execution any of the Powers and Authorities created or conferred by this Act, or by any such Scheme as aforesaid, and not required to be exercised with the Approbation of the Court of Chancery, shall and may be retained and paid and discharged in the first place out of the Monies or Income belonging to the said College.

Residue of Property, except Lands in Second Schedule and Pensions, to remain vested in Ecclesiastical Commissioners and other Holders of same for the Time being.

XVI. All the Messuages, Lands, Tithes, Tithe Rentcharges, and Hereditaments, belonging to or constituting the Corps of the several Prebends or Offices mentioned in the First Schedule to this Act, and all other, if any, the Lands, Tithes, Tithe Rentcharges, Hereditaments, and Premises belonging to or held in trust for the said Collegiate Church, or all or any One or more of the Dignities or Offices of Dean, Treasurer, Precentor, Chancellor, Prebends, or other Dignity or Office, Dignities or Offices in the said College (other than and except the Lands and Hereditaments, Prebend and Parsonage, described in the Second Schedule to this Act, and except the Pensions and annual Sums payable by the present Holders of the said Dignities and Offices respectively,) shall from and after the passing of this Act (but subject and without Prejudice, as to such of the said Prebends as have not yet accrued to the said Ecclesiastical Commissioners, to the Rights and Interests of the present Holders thereof, and to the subsisting Leases thereof,) remain and be absolutely vested in the said Ecclesiastical Commissioners, their Successors and Assigns, freed and discharged from the Uses, Trusts, or Purposes for or to which the same

same are or may be liable to be applied under the said Royal Charter of the Thirty-second Year of the Reign of King *Henry* the Eighth, or any other Royal Charter or Charters, or Act or Acts of Parliament, or otherwise howsoever, but charged and chargeable nevertheless with the Payment to the Persons to be nominated and incorporated as aforesaid of the annual Pensions, Portion of Rents reserved on Leases, and Part of the net Rents and Profits of the said Lands, Tithes, Tithe Rentcharges, Hereditaments, and Premises herein-before declared to be and made a Part of the general Endowment and Property of the said College, and which net Rents and Profits shall be estimated after deducting all the usual Outgoings, and the proper and necessary Expenses attending the Management of the Property, and the Collection or Receipt of the said Rents and Profits; and, subject and chargeable as aforesaid, the said Prebends, Estates, and Property so vested in the said Ecclesiastical Commissioners as aforesaid shall be by them held, possessed, and administered for the Purposes and under and according to the Provisions contained in the said Act of the Third and Fourth Years of Her Majesty's Reign, or other Act or Acts relating to the said Ecclesiastical Commissioners which apply to Lands, Tenements, and Hereditaments vested or liable to be vested in them under the same Acts or any of them, subject only to such Leases or Grants heretofore made thereof, or of any Part thereof, as may be now legally subsisting and not void or voidable at Law or in Equity: Provided nevertheless, that, notwithstanding the Right of the Persons so to be incorporated as aforesaid to receive such Pensions and Portions of and out of the Rents and Profits of the Estates lastly herein-before declared to be vested in the said Ecclesiastical Commissioners as are herein-before mentioned, the said Ecclesiastical Commissioners shall have and may exercise all the same Powers of granting Leases of the same Estates at Rackrent (but not in consideration of Fines or Premiums, except with the Consent of the Persons so to be nominated and incorporated as aforesaid, or their Successors,) as they the said Ecclesiastical Commissioners, by virtue of their said Acts or otherwise, might have had and exercised in respect of the same Estates in case such Persons had not been entitled to any such Pensions or Portions; provided also, that it shall be lawful for the said Ecclesiastical Commissioners, in exercise of the Powers vested in them under any of their said Acts, and by the Authority and for the Purposes therein expressed, with the Consent of the Persons so to be nominated and incorporated as aforesaid, or their Successors, to be testified by Writing under their Common Seal, to sell or otherwise dispose of any Part or Parts of the same Estates absolutely freed and discharged of and from the Rights and Interests of such Persons as last mentioned, or their Successors, therein or thereto.

XVII. It

XVII. It shall be lawful for the said Ecclesiastical Commissioners, at any Time hereafter, by a Scheme prepared by them with the Consent of the Bishop of the Diocese for the Time being, and sanctioned by the Order of Her Majesty in Council, and published in the *London Gazette*, and also with the Approbation of the Court of Chancery to be previously obtained for the Purpose, to appropriate and set apart for the Use and in part of the Endowment of the said College and School, in lieu of the One Moiety of the Rents reserved on such Leases as aforesaid, and of the One Sixth Part of the clear Rents and Profits of the said Estates and Hereditaments by this Act declared to be vested in them as aforesaid, such specific Prebend or Prebends, or such specific Part or Parts of any One or more of the said Prebends as, according to the Certificate of Two competent Surveyors, one to be appointed by the said Ecclesiastical Commissioners and the other by the governing Body of the said College and School to be incorporated as aforesaid, shall appear to be equivalent at least to such equal Moiety and Sixth Part or Share of the gross Value of the whole of the said Estates and Hereditaments subject to the Lease or Leases then subsisting therein; and from and after the Time which shall be fixed for that Purpose by the said Scheme, and after the same Scheme shall have come into operation, the Lands and Hereditaments so appropriated to the Use of the said College and School shall by force of this Act, and of such last-mentioned Scheme or Schemes so sanctioned as aforesaid, without any further Conveyance, be vested in the Persons so to be nominated and incorporated as aforesaid, and their Successors, as Part of the Endowment thereof, for the Uses and Purposes aforesaid, and the Remainder of the said Prebends, Estates, and Hereditaments shall thenceforth and at all Times for ever thereafter be and remain vested in the said Ecclesiastical Commissioners and their Successors, freed and discharged from all Trusts, Claims, and Demands for or on behalf of the said College and School.

Power to Ecclesiastical Commissioners to set apart specific Prebends in commutation of Proportion of Profits reserved to College.

XVIII. In consideration of the Relinquishment by the said *Connop* Bishop of *Saint David's* in favour of the said College of the Lands and Hereditaments, Prebend and Parsonage, respectively described in the Second Schedule to this Act, Compensation shall be made to the said Bishop for the said Lands, Hereditaments, Prebend, and Parsonage under the Provisions of an Act passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, intituled *An Act to amend the Acts relating to the Ecclesiastical Commissioners for* England, and by the Authority thereby provided, in like Manner as is by the Twenty-second Section of the said Act directed in the Case of the Severance of certain Benefices from the Sees therein respectively mentioned.

Compensation to Bishop of St. David's for Relinquishment of Lands, &c.

13 & 14 Vict. c. 94.

XIX. The

Offices of Lecturer, Treasurer, &c. to cease on passing of Act.

XIX. The present Lecturer and Schoolmaster of the said College and School shall cease to hold Office, and the said Offices be suppressed on the Appointment and Incorporation of such governing Body as herein-before is mentioned; but the said Ecclesiastical Commissioners, with the Sanction of the Court of Chancery, may, if they think fit, assign out of the Pension herein-before mentioned to both or either of such Officers any yearly Sums not exceeding the Stipends which have been accustomably paid to such Lecturer and Schoolmaster, and shall fix the Duration of such Payments, which shall form a Charge on the Endowment and Property of the said College; and the several Dignities or Offices of Treasurer, Precentor, Chancellor, Prebendaries, and other Dignities or Offices in or connected with the said Collegiate Church, shall, as to such of them as are vacant at the passing of this Act, immediately upon its so passing, and as to all others immediately upon the next Vacancies thereof respectively, be suppressed.

Charter for St. David's College, Lampeter, 6th Feb., 9 G. 4.

XX. And whereas His Majesty King *George* the Fourth, by His Royal Charter bearing Date the Sixth Day of *February* in the Ninth Year of His Reign, after reciting that His Majesty being informed that the Majority of Persons intended for Holy Orders in *South Wales* were unable by reason of their Poverty to pursue their Studies in the *English* Universities, and willing that there should be founded and established at *Lampeter* in the County of *Cardigan* One perpetual College for the Reception and Education of Persons destined for Holy Orders, which should be called *Saint David's College*, and should consist of One Principal, Two or more Tutors, and Two or more Professors, did appoint the Bishop of *Saint David's* for the Time being Visitor of the said College, and declared that the Principal, Tutors, and Professors, and their Successors, should be a Body Corporate by the Name of "The Principal, Tutors, and Professors of *Saint David's College* in the County of *Cardigan* in the Principality of *Wales*," and His Majesty granted to the said Corporation certain Advowsons with Cure of Souls and Sinecure Rectories or Parsonages mentioned in the said Charter: And whereas by the said Act of the Third and Fourth Years of Her present Majesty's Reign it was enacted, that, if it were deemed fit, any Part of the Lands, Tithes, or Hereditaments which should vest in or accrue to the said Ecclesiastical Commissioners from or in respect of the Cathedral Church of *Saint David* or the Collegiate Church of *Brecon* might, by the Authority therein provided, be transferred to the said College of *Saint David's*, in exchange for Benefices with Cure of Souls then connected with the said College; and the said College was empowered, upon the Completion of any such Arrangement, to convey any such Benefices to such Person or Body Corporate and in such Manner as should

3 & 4 Vict. c. 113. s. 62.

should be directed by the like Authority: And whereas by an Act passed in a Session holden in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act for regulating the Cathedral Churches of* Wales, it was enacted, that so much of the last-mentioned Act as related to the said College of *Saint David* should be repealed, and that Arrangements might be made by the Authority mentioned in the said Act (that is to say, by a Scheme prepared by the said Ecclesiastical Commissioners, and an Order of Her Majesty in Council confirming the same,) for effecting the Sale of the Advowsons of the several Benefices with Cure of Souls then annexed to the said College, and investing the Proceeds of such Sale for the Benefit of the said College; and that if it should be made to appear to the said Ecclesiastical Commissioners that the said College should afterwards not be competently endowed, it should be lawful, by the like Authority, to transfer to the said College, in augmentation of the Endowment thereof, any of the Lands, Tithes, Tenements, or Hereditaments in the Principality of *Wales* vested or to be vested in the Ecclesiastical Commissioners for *England* by or under the Provisions of the several Acts of Parliament mentioned in relation thereto: And whereas the said Ecclesiastical Commissioners have made Arrangements in pursuance of the said Act for effecting the Sale of the Advowsons of certain Benefices with Cure of Souls annexed to the said College, and it is expedient that Her Majesty should be empowered, if She should see fit, to make further Provision for the College of *Saint David's* in augmentation of the Endowment thereof out of any of the Lands, Tithes, and other Hereditaments belonging to or constituting Endowments of the College of *Christ* of *Brecknock* vested in the said Ecclesiastical Commissioners by virtue of this Act or otherwise: Be it therefore enacted, That it shall be lawful for Her Majesty, by any Order or Orders in Council ratifying a Scheme or Schemes of the said Ecclesiastical Commissioners for *England*, to be prepared and published in the Manner directed by the said last-recited Act, at any Time after the passing of this Act, but without Prejudice to any Act, Deed, Matter, or Thing before done, executed, or performed under the Provisions of this Act, to transfer to or vest in the Principal, Tutors, and Professors of the said College of *Saint David's*, and their Successors, any of the Prebends or any specific Portions of the Prebends of the said College of *Christ* vested in the said Commissioners by this Act or otherwise, or any Lands, Tithes, or Hereditaments belonging to or constituting the Corps of such Prebends, and charged in such Manner and subject to such Conditions as may be described or imposed by any such Scheme of the said Commissioners whereby such Augmentation shall be made, and that either in exchange for any of the said Benefices with Cure

6 & 7 Vict. c. 77. s. 13.

Power to transfer Prebends of College of Christ of Brecknock to College of St. David's, Lampeter.

Power to transfer St. David's College to Brecknock.

Cure of Souls annexed to the said College, or otherwise; and that Her said Majesty may at any Time hereafter, if She shall think fit, in and by any such Order or Orders in Council ratifying any such Scheme or Schemes as aforesaid, such Scheme or Schemes being prepared with the Consent of the Bishop of the Diocese for the Time being to be testified by the Signature of the said Bishop, order and direct that *Saint David's College* shall be transferred from *Lampeter* in the County of *Cardigan* to *Brecknock*, and the same shall thereupon and with all convenient Speed be transferred accordingly; and the Principal, Tutors, and Professors of *Saint David's College* shall become Principal, Tutors, and Professors of the College of *Saint David's* in the County of *Brecknock*, by that Name, or by such other Name as shall be directed in such Scheme; and the said College so transferred shall hold and enjoy all the same Endowments and Privileges, and be under and subject to the same Government, Visitation, Statutes, Rules, and Regulations, as the said College may at the Time of such Transfer hold, enjoy, and be under and subject to at *Lampeter*, unless and until Her Majesty, in and by such Order, or any other such Order as aforesaid, shall order otherwise under the Authorities herein-after contained; and Her said Majesty is hereby authorized and empowered, if She shall see fit, in such Manner but subject to such Provisions as the High Court of Chancery shall by any Scheme to be settled by such Court approve, to annex the said College and Collegiate School of *Christ* of *Brecknock* to the said College of *Saint David's*, when the same shall have been so transferred to *Brecknock*, with a view either to their becoming separate Parts of One University, and under One System of Government and Visitation, or to their being placed in such Relation to each other as separate Colleges, or otherwise, as Her said Majesty shall think fit, having regard to the distinctive Characters and Objects of the Two Institutions.

Power to annex College of Christ of Brecknock to College of St. David's.

Proviso as to Education in case of Removal of the College to Brecknock.

XXI. Provided always, in case of the Removal of the said College of *Saint David's* to *Brecknock* Provision shall be made for the Reception and Education not only of Persons destined for Holy Orders but also Persons intended for secular Employments.

Power of Augmentation may be exercised as to St. David's either before or after Annexation with College of Christ of Brecknock.

XXII. The Powers of Augmentation given to Her Majesty in respect of *Saint David's College* may be exercised either before or after the Transfer thereof to *Brecknock*, or the Annexation thereof to the said College of *Christ* of *Brecknock*.

Reference to Act.

XXIII. For all Purposes of Recital or Reference it shall be sufficient in all Cases to mention this Act as "The *Christ College of Brecknock* Act, 1853."

FIRST

FIRST SCHEDULE.

Name of Prebend.	Endowments.	Rents reserved on Leases.	Pension to Schoolmaster.	Pension to Lecturer.
		£ s. d.	£ s. d.	£ s. d.
Llanbister (with the Chancellorship annexed).	Tithe Rentcharge and Land	60 0 0	- - -	2 6 8
Llanelwedd - -	The Tithe Rentcharge and Rectory of Llanelwedd.	7 13 4	- - -	1 4 0
Llandilograban -	Tithe Rentcharge and 9A. 0R. 0P. of Glebe Land.	9 13 4	- - -	1 10 8
Llangadock and Llanthoisant (annexed to the Deanery).	A Portion of the Tithes of Mothvey.	- - -	Proportion of 16 0 0	—
Llangammarch (with the Treasurership).	Annexed to the Bishoprick by 12th Anne, Stat. 2, Cap. 6.	60 0 0	- - -	2 6 8
Llandegley - -	Tithe Rentcharge - -	12 0 0	- - -	2 6 8
Llangunllo - -	Tithe Rentcharge - -	26 0 0	2 5 8	—
Llansantfread in Elvel	Tithe Rentcharge - -	1 6 8	- - -	1 4 0
Llanwrthwl - -	Two Thirds of Tithe Rentcharge of Llanwrthwl, also Tithe Rentcharge of Llanlleonfel and 7A. 3R. 25P. of Land.	13 6 8	- - -	2 6 8
Llanarthney - -	Two Thirds of Tithes of Llanarthney and 11A. 0R. 27P. of Land.	16 0 0	- - -	2 6 8
Mochtre - -	Tithe Rentcharge - -	8 0 0	- - -	1 11 8
Nantgunllo - -	Tithe Rentcharge - -	10 0 0	- - -	1 4 0

IN HAND.

Llangadock and Llanthoisant (annexed to the Deanery).	Portions of the Tithes of Llangadock and Llanthoisant.	- - -	Proportion of 16 0 0	—

VACANT.

NOW VESTED IN THE ECCLESIASTICAL COMMISSIONERS.

Boughrood (Llanbedr Painscastle).	Tithe Rentcharge of Llanbedr Painscastle.	2 0 0	- - -	1 10 8
Clyro - - -	Tithe Rentcharge of Clyro with the Hamlet of Bettwys.	15 6 8	- - -	1 10 8
Garthbrengy - -	Tithe Rentcharge of Garthbrengy.	10 0 0	- - -	1 10 8
Llandarog - -	Tithe Rentcharge of Llandarog, Llanganten, and Llangynog, and Glebe Land.	10 0 0	- - -	1 10 8
Llandisilio - -	Tithe Rentcharge - -	26 5 0	- - -	1 4 0

Brecon Collegiate Church.

Name of Prebend.	Endowments.	Rents reserved on Leases.	Pension to Schoolmaster.	Pension to Lecturer.
		£ s. d.	£ s. d.	£ s. d.
Llandrindod - -	Tithe Rentcharge of Llandrindod.	6 0 0	0 9 0	—
Llandygwydd - -	Tithe Rentcharge and Glebe.	12 0 0	- - -	1 13 4
Llanfynydd (with the Precentorship).	Part of the Tithe Rentcharges of the Parishes of Llanfynydd and Llangadock, with the Chapelry of Llanthoisant.	22 0 0	- - -	2 6 8
Lledrod - -	Tithe Rentcharge of Lledrod	6 13 4	- - -	1 4 0
St. Armons - -	Tithe Rentcharge of St. Armons.	14 0 0	1 10 8	—
Trallwng - -	Parsonage House, Tithe Rentcharge, and Glebe.	20 0 0	1 4 0	—

SECOND SCHEDULE;

First Part,

Comprising the Lands and Hereditaments, including the Demesne and Site of Church and Schoolhouse, in hand.

No.	Description of Premises.	Quantity.		
		A.	R.	P.
1	Meadow, enclosed with a Stone Wall - - -	2	0	32
2	Garden - - - - - -	0	1	2
3	The Collegiate Church and Yard - - - -	0	0	26
4	Schoolhouse, with Two Dwellings above, Garden and Stable -	0	0	36
5	House, Currier's Shop, and Garden, with Outbuildings - -	0	2	28
6	Stables, Wheelwright and Carpenter's Shop, and Yards - -	0	0	20
7	Walled Garden - - - - - -	0	1	4
10	Meadow and Garden - - - - -	0	3	15
11	Garden - - - - - -	0	0	31
13	Meadows - - - - - - -	2	2	7
14	Meadow - - - - - -	4	0	28
15	Meadow - - - - - - -	8	1	5
16	Meadow - - - - - -	3	0	30
17	Meadow - - - - - - -	2	0	12
18	Meadow - - - - - -	2	2	13
8	Six Cottages and Yard - - - - -	0	0	11
9	Three Cottages and Garden - - - -	0	0	12
12	Eleven Cottages and Gardens - - - -	0	1	14
19	Roadway - - - - - -	0	0	39
		28	2	5

Second Part.

The Prebend of Llangadock and Llanthoisant with the Parsonage of Mothvey, endowed with Portions of the Tithes of Llangadock and Llanthoisant, in hand, and of Mothvey in Lease.

LONDON: Printed by George E. Eyre and William Spottiswoode, Printers to the Queen's most Excellent Majesty. 1853.

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

CAP. XC.

An Act to repeal certain Duties of Assessed Taxes, and to grant other Duties of the same Description; and to amend the Laws relating to the Application of the Monies arising from the Redemption and Purchase of the Land Tax.

[20th *August* 1853.]

WHEREAS it is expedient to repeal the several Duties of Assessed Taxes herein-after described or mentioned, and to grant other Duties of the like Description in lieu thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From and after the Fifth Day of *April* One thousand eight hundred and fifty-four in *England*, *Wales*, and *Berwick-upon-Tweed*, and from and after the Twenty-fourth Day of *May* in the same Year in *Scotland*, the several Duties of Assessed Taxes now payable in *Great Britain* under or by virtue of any Act or Acts now in force, for or in respect of Male Servants, Carriages, Horses, Mules, Dogs, Hair Powder, and Armorial Bearings or Ensigns respectively, and also all the Provisions, Rules, and Regulations relating to such Duties contained in the several Schedules marked respectively (C.), (D.), (E.), (F.), (G.), (I.), (K.), and (M.), annexed to an Act passed in the Forty-eighth Year of the Reign of King *George* the Third,

From and after 5th April 1854 in England, &c., and 24th May 1854 in Scotland, certain Duties of Assessed Taxes repealed.

Chapter Fifty-five, and the several Schedules marked respectively (C.), (D.), (E.), (F.), (G.), and (M.), annexed to an Act passed in the Fifty-second Year of the said King's Reign, Chapter Ninety-three, shall respectively cease and determine, and shall be and the same are hereby repealed, save and except as to all Arrears of the said Duties, or any of them, and as to all Assessments thereof made or which ought to be made for any Year prior to the Year commencing from and after the respective Times aforesaid, and as to any Penalties incurred in relation to the said Duties or any of them, all which said Arrears, Duties, Assessments, and Penalties shall and may respectively be recovered, levied, and applied in the same Manner as if this Act had not been passed.

Duties of Assessed Taxes granted in lieu of Duties repealed.

II. In lieu of the Duties so repealed by this Act, there shall be assessed, raised, levied, and paid unto and for the Use of Her Majesty, Her Heirs and Successors, in and throughout *Great Britain*, for or in respect of Male Servants, Carriages, Horses, Mules, Dogs, Hair Powder, and Armorial Bearings or Ensigns respectively, the several Duties of Assessed Taxes described or mentioned and set forth in the several Schedules to this Act annexed marked respectively (C.), (D.), (E.), (G.), (I.), and (K.), subject only to the Exemptions contained in the said Schedules respectively, and in the Schedule marked (M.) also annexed to this Act, which said several Schedules, and the Duties therein set forth, and the Rules, Regulations, and Exemptions therein contained in relation to the said Duties, shall be deemed and construed to be a Part of this Act, and as if the same were incorporated therewith under a special Enactment.

Duties to be under the Management of Commissioners of Inland Revenue, and to be assessed under the Provisions of the Acts relating to Assessed Taxes.

III. The Duties granted by this Act shall be under the Direction and Management of the Commissioners of Inland Revenue, and shall be assessed, raised, levied, paid, and accounted for under the Regulations and Provisions of the several Acts in force in relation to the Duties of Assessed Taxes; and all Powers, Authorities, Rules, Regulations, Directions, Penalties, Clauses, Matters, and Things contained in or enacted by the said Acts respectively, and not expressly repealed by this Act, shall, in all Cases not expressly provided for by this Act or the several Schedules hereto annexed, and so far as the same are not superseded by and are consistent with the express Provisions of this Act and of the said Schedules, be duly observed, applied, practised, and put in execution for assessing, raising, levying, collecting, receiving, accounting for, and securing the said Duties hereby granted, and otherwise relating thereto, as fully and effectually, to all Intents and Purposes, as if the same Powers, Authorities, Rules, Regulations, Directions, Penalties, Clauses, Matters, and Things were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties hereby granted.

IV. Pro-

Assessed Taxes.

IV. Provided, That no Exemption from the Duties granted by this Act, except such Exemptions as are expressly contained in and given by this Act or the respective Schedules hereto annexed, shall be granted or allowed; and every Exemption given by this Act or the said respective Schedules shall be duly returned, together with a Declaration of the Cause thereof, by the Person claiming the same, in the Manner directed by the Thirty-sixth Section of the Act passed in the Forty-third Year of the Reign of King *George* the Third, Chapter One hundred and sixty-one, or in default thereof such Exemption shall not be allowed.

No Exemption, except those contained in this Act, to be allowed.

Exemptions to be returned and claimed as directed by 43 G. 3. c. 161.

V. Provided, That no Person retaining or employing any Servant, or keeping or using any Carriage, or any Horse or Mule, after the Fifth Day of *April* One thousand eight hundred and fifty-three, in respect of which Servant, Carriage, Horse, or Mule Exemption from the Duties of Assessed Taxes is granted by any Act in force immediately before the passing of this Act, shall be liable to be assessed or charged with the Duties granted by this Act in respect of such Servant, Carriage, Horse, or Mule for the Year commencing from the Fifth Day of *April* One thousand eight hundred and fifty-four, provided such Person shall not retain or employ such Servant, or keep or use such Carriage, Horse, or Mule, at any Time after the Tenth Day of *October* One thousand eight hundred and fifty-three in *England*, *Wales*, or *Berwick-upon-Tweed*, or after the Twenty-second Day of *November* in the same Year in *Scotland*.

Persons keeping or using Articles exempted under existing Acts not liable to be assessed under this Act for the Year 1854, on ceasing to keep or use such Articles before a certain Period.

VI. Nothing in this Act contained shall be deemed or construed to annul or affect any Contract of Composition for the Duties of Assessed Taxes made under the Provisions of the Acts in that Behalf, and which shall be in force at the Time of the passing of this Act, but every such Contract shall continue in force until the Expiration of the Term for which the same was made, as if this Act had not been passed: Provided always, that it shall be lawful for any Person who has entered into Composition for the said Duties by any such Contract as aforesaid, if he shall think fit, to determine the same on the Fifth Day of *April* One thousand eight hundred and fifty-four, by giving Notice in Writing, signed by him, of his Intention so to determine such Contract, to the Surveyor of Taxes for the District in which he shall reside, on or before the Tenth Day of *October* One thousand eight hundred and fifty-three; and if such Person shall at the same Time and in the like Manner give Notice to the said Surveyor of his Intention to discontinue the Use of any increased Establishment, or any Part thereof, not included in such Composition, and shall actually cease to keep the same One Calendar Month before the said Fifth Day of *April* One thousand eight hundred and fifty-four, he shall not be chargeable in the Assessment of the said Duties

This Act not to annul Contracts of Composition, but Persons who have compounded may determine such Contracts, on giving Notice.

Duties for the Year commencing from the said last-mentioned Day for such increased Portion of his Establishment respecting which he shall have given such Notice of his Intention to discontinue, and which he shall actually have discontinued as aforesaid.

The Word "Horse" to include Mare or Gelding.

VII. In construing this Act and the Schedules hereto annexed respectively the Term "Horse" shall be construed and deemed to mean and include a Mare or Gelding as well as a Horse.

Monies arising from Land Tax Redemption may be applied in the Purchase of Stocks or Annuities chargeable on Consolidated Fund.

VIII. From and after the passing of this Act it shall be lawful for the Commissioners for the Reduction of the National Debt from Time to Time to lay out the Monies arising from the Redemption or Purchase of the Land Tax under any Act or Acts in force in that Behalf in the Purchase and cancelling of any Parliamentary Stocks or Annuities chargeable upon and payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

SCHEDULES to which this Act refers.

SCHEDULE (C.)

A Schedule of the Duties payable annually for every MALE SERVANT retained or employed in any of the several Capacities herein mentioned.

	Annual Duty for each Servant.		
	£	s.	d.
For every such Servant of the Age of Eighteen Years or upwards - - - - - -	1	1	0
And for every such Servant under the Age of Eighteen Years - - - - - -	0	10	6

Rules for charging the said Duties.

1. The said Duties to be paid by the Master of such Servant, and to extend to and be payable for every Male Servant retained or employed in any of the following Capacities; (that is to say,) Maitre d'Hotel, House Steward, Master of the Horse, Groom of the Chamber, Valet de Chambre, Butler, Under Butler, Clerk of the Kitchen, Confectioner, Cook, House Porter, Footman, Running Footman, Coachman, Groom, Postilion, Stable Boy, or Helper in the Stables of the Master, Gardener, Park-keeper, Gamekeeper, Huntsman, Whipper-in, or by whatever Name or Names Male Servants really acting in any of the said Capacities shall be called, or whether such Male Servants

vants shall have been retained or employed in One or more of the said Capacities, and to every such Servant let to Hire with any Carriage or Horses, and shall be charged upon the greatest Number of Servants which the said Master shall have kept at One Time in the course of the preceding Year in any of the Capacities before mentioned; provided that where any such Servant shall be let to Hire with any Carriage or Horses for One Year or any longer Period, the said Duties shall be charged upon the Person hiring such Servant, and in any other Case (except where Exemption is herein-after granted) the said Duties shall be charged upon the Person letting such Servant to Hire; provided that if the Person hiring any such Servant shall not make a due Return thereof according to the Directions of the Acts in force, stating therein the Name and Place of Abode of the Person letting such Servant to Hire, the Person hiring such Servant shall be chargeable with the said Duties.

2. The said Duties shall extend to every Male Person employed in any of the Capacities aforesaid, and not being a Servant to his Employer, if such Employer shall be chargeable to the Duty by this Act imposed on a Servant or Carriage, or for more than One Horse.

3. The said Duties shall extend to all Servants employed as Waiters to wait on Guests or in any of the Capacities before mentioned in Taverns, Coffee Houses, Inns, Alehouses, or any other Houses licensed to sell Wine, Ale, or other Liquors by Retail, and in Eating or Victualling Houses, and in Hotels or Lodging Houses, of whatever Description, although not licensed, except occasional Waiters.

4. The said Duties on Gardeners shall extend to every Gardener who shall have contracted for the keeping of any Garden or Gardens wherein the constant Labour of a Person shall be necessary, or where a Person shall have been constantly employed therein, to be paid by the Person for whose Use and in whose Garden such Gardener or Person shall have been employed; provided that no Person shall be deemed to be a Gardener unless the whole or the greater Part of his Time shall be employed as a Gardener in a Garden requiring the greater Part of the Labour of One Person; provided also, that any Person employing any Under Gardener shall be chargeable for such Under Gardener at the Rate of 10*s.* 6*d.* only.

5. The said Duties upon Gamekeepers shall extend to every Person retained or employed to kill or preserve Game for the Use of any other Person, whether lawfully appointed to kill or preserve Game or not, to be paid by the Person retaining or employing such Persons respectively for the Uses aforesaid, except Gamekeepers being the Servants of other Persons, and duly returned by and charged to the said Duties as Servants of such other Persons: Provided always, that any Person employed to preserve Game under a Gamekeeper duly appointed shall be chargeable at the Rate of 10*s.* 6*d.* only.

6. The said Duties shall extend to every Person who shall be employed in the Capacity of a Coachman, Postilion, Groom, or Helper in the Stables, although such Person shall have been retained for the Purposes of Husbandry or any Manufacture or Trade, where the Master of such Person shall be chargeable with Duty for any Carriage, or for Two or more Horses chargeable with the Duty on Horses kept for the Purpose of riding or drawing Carriages.

EXEMPTIONS.

1. The said Duties not to be payable by any of the Royal Family for any Servant acting in any of the Capacities aforesaid.

2. Nor by any General Officer or Officer of the Staff in the Army, or any Officer serving in any Regiment of Horse or Dragoons, or in any Regiment of Artillery, Infantry, Royal Marines, Royal Garrison Battalions, or Corps of Engineers, for so many Male Servants, being actually Soldiers in the Army, as are or may be allowed to them respectively by the Regulations of the public Service, in whatever Capacity any such Soldier may be employed.

3. Nor by any Officer of Her Majesty's Navy in actual Employ, for any Number of Servants borne upon the Books of the Ship to which such Officer shall belong, and employed by him, in whatever Capacity any such Servant may be employed.

4. The said Duties not to be payable for any Male Servant or Person under the Age of Twenty-one Years, being the Son or Grandson of and residing with his Employer, and actually a Member of his Household.

5. Nor for any Person retained or employed in any of the Capacities enumerated in this Schedule in the Room of others who may be called out under any Act for training and exercising a Military Force within the Kingdom, during the Time of such training and exercising.

6. Nor for One Male Person employed by any Licensed Victualler bonâ fide and generally to carry out Beer, Ale, or other Liquors to Customers, although he may be occasionally required to wait on Guests; provided such Licensed Victualler shall employ only One such Male Person.

7. Nor for any Male Servant or Person employed as an Ostler or Helper in the Stables of any Licensed Innkeeper.

8. Nor for any Male Servant or Person employed as Groom, Stable Boy, or Helper in the Stables by the several Persons herein-after mentioned, solely and bonâ fide in their respective Businesses; (that is to say,) by any Livery Stable Keeper, or any Horse Dealer, or any Person licensed to let Horses for Hire, or to keep and use any Stage Carriage or any Hackney Carriage; nor for any Male Servant or Person employed by any such licensed Person to drive any licensed Stage Carriage or any licensed Hackney Carriage, or any Carriage with any Horse let to Hire for any Period less than Twenty-eight Days.

9. Nor

9. Nor for any Male Person employed by any Stable Keeper, for or in expectation of Profit, solely and bonâ fide to take care of any Horse kept for the Purpose of racing or running for any Plate, Prize, or Sum of Money, or in training for any such Purpose.

SCHEDULE (D.)

A SCHEDULE of the DUTIES payable annually on all CARRIAGES of any of the Descriptions herein mentioned.

	Annual Duty for each Carriage.		
	£	s.	d.
For every such Carriage with Four Wheels:			
Where the same shall be drawn by Two or more Horses or Mules - - - - -	3	10	0
And where the same shall be drawn by One Horse or Mule only - - - - - -	2	0	0
For every Carriage with Four Wheels, each being of less Diameter than Thirty Inches:			
Where the same shall be drawn by Two or more Ponies or Mules, neither of them exceeding Thirteen Hands in Height - - - - -	1	15	0
And where the same shall be drawn by One such Pony or Mule only - - - - -	1	0	0
For every Carriage with less than Four Wheels:			
Where the same shall be drawn by Two or more Horses or Mules - - - - -	2	0	0
And where the same shall be drawn by One Horse or Mule only - - - - - -	0	15	0
And where the same shall be drawn by One Pony or Mule only not exceeding Thirteen Hands in Height - - - - - -	0	10	0
And where any such Carriage shall be kept and used solely for the Purpose of being let for Hire	One Half of the above-mentioned Duties respectively.		
For every Carriage used by any Common Carrier principally and bonâ fide for and in the carrying of Goods, Wares, or Merchandise whereby he shall seek a Livelihood, where such Carriage shall be occasionally only used in conveying Passengers for Hire, and in such Manner that the Stage Carriage Duty or any Composition for the same shall not be payable under any Licence by the Commissioners of Inland Revenue:			
Where such last-mentioned Carriage shall have Four Wheels - - - - - -	2	6	8
And where the same shall have less than Four Wheels - - - - - -	1	6	8

RULES

RULES for charging the said DUTIES.

1. The said Duties to be respectively charged for every Coach, Landau, Chariot, Chaise, Sociable, Caravan, Curricle, Chair, or Car, and for every other Carriage constructed for the like Purposes, by whatever Name or Names the same shall be called or known, and upon all such Carriages hired by the Year or any longer Period, and upon all such Carriages kept to be let out to Hire.

2. The Duty on Carriages kept to be let out to Hire to be paid by the Person keeping the same for such Purpose, and to be charged on the greatest Number of such Carriages which shall have been kept at any One Time and which shall have been actually let during the preceding Year; provided that if a due Return thereof shall not be made by the Hirer of any such Carriage, according to the Directions of the Acts in force, stating therein the Name and Place of Abode of the Person letting the same to Hire, such Hirer shall be chargeable with the said Duties.

EXEMPTIONS.

1. Any Carriage belonging to Her Majesty or any of the Royal Family.

2. Any Carriage licensed by the Commissioners of Inland Revenue to be used as a Hackney Carriage.

3. Any Carriage kept and used solely as a Public Stage Carriage for the Purpose of conveying Passengers for Hire under a Licence in that Behalf.

4. Any Carriage bonâ fide and solely kept and used for the Purpose of being let for Hire, with a Horse or Horses to be used therewith, by any Person duly licensed to let Horses for Hire; provided that no Exemption shall be allowed for any greater Number of Carriages than such Person shall be licensed to keep at One Time for the Purpose of being let for Hire as aforesaid.

5. Any Waggon, Van, Cart, or other such Carriage which shall be kept truly and without Fraud to be used solely in the Course of Trade or in the Affairs of Husbandry, and whereon the Christian Name and Surname and Place of Abode of the Owner shall be legibly painted; provided that such Carriage shall not on any Occasion be used for any Purpose of Pleasure, or otherwise than as aforesaid, except for conveying the Owner thereof or his Family to or from any Place of Divine Worship.

SCHE-

SCHEDULE (E.)

A SCHEDULE of the DUTIES payable annually for HORSES and MULES kept or used for the Purpose of riding, or of drawing any Carriage chargeable with Duty.

	Annual Duty for each Horse or Mule.		
	£	s.	d.
For every Horse kept or used for the Purpose of racing or running for any Plate, Prize, or Sum of Money or other Thing, or kept in training for any of the said last-mentioned Purposes - - - - -	3	17	0
For every other Horse, and for every Mule, exceeding respectively the Height of Thirteen Hands of Four Inches to each Hand, kept for the Purpose of riding, or drawing any Carriage chargeable with Duty, except Horses chargeable under Schedule (F.) of this Act -	1	1	0

SCHEDULE (F.)

A SCHEDULE of the DUTIES payable annually for all HORSES and MULES not charged with Duty under Schedule (E.) of this Act.

	Annual Duty for each Horse or Mule.		
	£	s.	d.
For every Horse and Mule exceeding respectively the Height of Thirteen Hands and not chargeable under Schedule (E.) of this Act - -	0	10	6
For every Pony or Mule, not exceeding the Height of Thirteen Hands, kept for the Purpose of riding, or drawing any Carriage chargeable with Duty - - - - -	0	10	6
And for every such Pony or Mule as last mentioned kept for any other Purpose - -	0	5	3

RULES for charging the said DUTIES contained in SCHEDULES (E.) and (F.)

1. Any Person bonâ fide following the Occupation of a Farmer, and making a Livelihood principally by Husbandry on any Farm or Farms in his Occupation, shall be entitled to keep and use One Horse for the Purpose of riding, or of drawing any Carriage chargeable with Duty, and shall be chargeable for such Horse with the Duty of 10*s.* 6*d.* only.

2. Any Rector, Vicar, or Curate actually doing Duty in the Church or Chapel of which he is Rector, Vicar, or Curate (except such

such Person who shall occasionally perform the Duty appertaining to any Rector, Vicar, or Curate, without being the regular officiating Minister of the Parish or Place in which such Duty shall be performed); and any Minister of the Established Church of Scotland or of any other Church or Religious Sect or Persuasion in Scotland, being the regular ordained or officiating Minister of a Parish or quoad sacra Church or Chapel of Ease in connexion with the said Established Church, or of a Congregational Connexion with any such other Church or Religious Sect or Persuasion, and not following any secular Occupation whatsoever; and any Priest of the Roman Catholic Faith who shall have duly taken and subscribed the Oaths and Declarations required by Law; and any Minister, Teacher, or Preacher of any separate Congregation of Protestant Dissenters, whose Place of Meeting shall have been duly registered, such Teacher or Preacher having duly taken and subscribed the Oaths and Declaration required by Law, and not following any secular Occupation, except that of a Schoolmaster; and any Person practising as a Physician, Surgeon, or Apothecary, being duly qualified so to practise, shall respectively be entitled to keep and use One Horse for the Purpose of riding, or drawing any Carriage chargeable with Duty, and shall be chargeable for such Horse with the Duty of 10*s.* 6*d.* only; provided such Persons respectively shall not keep more than One Horse.

3. Any Person who shall keep One Horse or Mule bonâ fide for the Use of and which shall be usually employed by any Bailiff upon the Concerns of any Farm or Farms with which such Bailiff may be intrusted, or any One Horse or Mule bonâ fide for and usually employed by any Shepherd or Herdsman solely in tending Sheep or Cattle, shall be chargeable for any such Horse or Mule with the Duty of 10*s.* 6*d.* only.

4. The Duties by this Act granted on Horses kept for the Purpose of racing or running for any Plate, Prize, or Sum of Money shall be charged either on the Proprietor of such Horses or on the Person having the Custody, Care, or Management of the same; provided, that such Proprietor shall be chargeable only for the greatest Number of such Horses which he shall have kept at any One Time during the preceding Year; and the Person having the Custody, Care, or Management of such Horses shall not be charged for any Horse which he shall prove the Proprietor to be assessed for.

Exemptions from the Duties contained in Schedules (E.) and (F.)

1. Any Horse belonging to Her Majesty or any of the Royal Family.

2. Any Person who shall keep any Horse which shall be used truly and without Fraud for the Purpose of Husbandry, or of drawing any Carriage not chargeable with any Duty, or of carrying Burdens in the

the Course of the Trade or Occupation of the Person to whom such Horse shall belong, for One such Horse used for riding on the Occasions and in manner herein-after mentioned, (that is to say,) when returning from any Place to which any Load or Burden shall have by such Horse been drawn or carried, or in going to any Place from whence any Load or Burden shall be to be brought back by such Horse, or for the Purpose of procuring Medical Assistance; provided such One Horse shall not on any Occasion be used for any other Purpose, save as aforesaid.

3. Any Person duly licensed to keep any Stage Carriage for the Purpose of conveying Passengers for Hire at separate Fares, in respect of any Horses solely used in drawing any such Stage Carriage.

4. Any Person duly licensed to let Horses for Hire, in respect of any Horse or Horses bonâ fide and solely kept and used by him for the Purpose of being let for Hire; provided that no Exemption shall be allowed for any greater Number of Horses than such Person shall be so licensed to keep at One Time for the Purpose of being let for Hire as aforesaid.

5. Any Person licensed by the Commissioners of Inland Revenue to keep any Hackney Carriage, in respect of any Horses solely used in drawing any such Hackney Carriage.

6. Any Dealer in Horses assessed to the Duties chargeable by Law on such Dealers shall be exempt from the Duties by this Act charged for all Horses belonging to such Dealer, and kept bonâ fide for Sale, and not used for any other Purpose or in any other Manner.

7. Any Person in respect of any Horses or Mules kept and used solely for the Purpose of Husbandry, and any Person who shall keep any Number of Horses or Mules bonâ fide for the Purpose of Husbandry, some or all of which he may occasionally use for other Purposes in drawing Burdens, shall not be chargeable under Schedule (F.) of this Act for more than Two of such Horses or Mules kept on any One Farm, or at any One Parish or Place; provided that none of such Horses or Mules shall be used for any Purpose of Trade, or in drawing for Hire or Profit, or in drawing any Carriage chargeable with Duty.

8. Any Person bonâ fide following the Occupation of a Farmer, and making a Livelihood principally by Husbandry on any Farm or Farms in his Occupation, in respect of any Horses or Mules kept and used for the Purpose of Husbandry, although such Horses or Mules shall be occasionally used for other Purposes in drawing Burdens, and although such Horses or Mules shall be occasionally used by such Person, or let by him for the Purpose of drawing for Hire or Profit; provided such Horses or Mules shall not be used for drawing any Carriage chargeable with Duty.

9. Any Person carrying on the Trade or Business of a Market Gardener, in respect of all Horses or Mules bonâ fide kept and used in

in the Cultivation of the Gardens or Lands in his Occupation, and in conveying the Produce thereof to or from Market.

10. Any Person in respect of any Mare which shall be kept for the sole Purpose of breeding.

11. Any Person in respect of any Pony or Mule not exceeding respectively the Height of Thirteen Hands, and used solely in any underground Mine.

12. Any Person for any Horse which shall not at any Time whatever have been used for any Purpose of Labour or otherwise during the Year in respect of which the Duty is charged.

13. Any effective Officer commanding a Volunteer Corps claiming and returning his Exemption for not more than Two Horses kept for Her Majesty's Service in such Corps.

14. Any Field Officer, not being Commandant, and any Adjutant of any Volunteer Corps, and any Person serving in any Corps of Yeomanry, Volunteer Cavalry, or providing a Horse for any other Person serving in any such Corps, who shall be returned in the Manner required by Law as effective, and as having used any Horse for such Service on the several Days of Muster and Exercise of such Corps; provided in every such last-mentioned Case a Certificate shall be delivered of such effective Service in the Manner required by the Eleventh Section of an Act passed in the Forty-fourth Year of the Reign of King George the Third, Chapter Fifty-four.

15. Any Officer belonging, attached to, and serving in any of Her Majesty's Forces, in respect of any Horse or Horses bonâ fide kept and used by him in the Public Service, shall be relieved from the Duty thereon to such Amount as would be allowed and reimbursed to such Officer out of the Public Revenue by the Rules of the Service if such Officer were assessed for and paid the same.

16. Any Non-commissioned Officer or Private of the Regiments of Cavalry or in the Artillery for any Horse used in Her Majesty's Service.

17. Any Field Officer, Adjutant, or Surgeon of a Regiment of Militia who shall be returned in the Manner required by Law as effective, and as having used any Horse for the Militia on the several Days when the Militia was called out for Training and Exercise; provided in every Case the Exemption shall be supported by a Certificate, to be delivered between the Fifth Day of April and the First Day of May in each succeeding Year to any Surveyor or Inspector of Taxes of the District wherein such Corps shall be enrolled, in the following Form:

'I, Commanding Officer of the Regiment
'of Militia, do hereby certify, That the several Persons herein named
'and described were respectively Field Officers, Adjutant, and Surgeon
'already commissioned and serving in the said Corps as effective
'Members

'Members thereof, and that they each kept One Horse for the Service 'of the Militia, in the Year ended the Fifth Day of April 18 .

SCHEDULE (G.)

A Schedule of the Duties payable annually on DOGS.

	Annual Duty for each Dog.		
	£	s.	d.
For every Dog, of whatever Description or Denomination the same may be - - -	0	12	0

The said Duty to be paid by the Person keeping any Dog, or having the same in his Custody or Possession, whether the same be his Property or not, such Person not discovering the Owner thereof who shall have been duly assessed for the same.

Provided always, that no Person shall be chargeable with Duty to any greater Amount than 39*l.* 12*s.* for any Number of Hounds, or 9*l.* for any Number of Greyhounds, kept by him in any Year.

Exemptions.

1. Any Dog belonging to Her Majesty or any of the Royal Family.

2. Any Person in respect of a Dog or Whelp which at the Time of returning the List of Dogs as required by the Acts in that Behalf shall not actually be of the Age of Six Calendar Months.

3. Any Person in respect of any Dog bonâ fide and wholly kept and used in the Care of Sheep or Cattle, or in driving or removing the same; provided no such Dog shall be a Greyhound, Hound, Pointer, Setting Dog, Spaniel, Lurcher, or Terrier.

SCHEDULE (I.)

A Schedule of the Duties payable annually by Persons in respect of HAIR POWDER used or worn by them.

	Annual Duty.		
	£	s.	d.
By every Person who shall have used or worn any Hair Powder - - - -	1	3	6

Rules for charging the said Duties.

1. The said Rate or Duty to extend to every Sort or Composition of Powder used or worn by any Person as an Article of or in or about

about his or her Dress, by whatever Name the same shall be distinguished, and to be assessed upon and paid by the Person having used or worn the same within the Year preceding the Term for which the Assessment ought to be made, except as herein-after mentioned.

2. The Master of any Servant who shall have declared his Intention to pay the Duty which may be charged or chargeable as aforesaid in respect of such Servant, and shall in a List returned by him have given a true Account of all the Servants by him kept in respect of whom such Duty shall be payable, setting forth the several Capacities in which such Servants are respectively kept, shall be charged for every such Servant, and in such Case every such Servant shall be deemed to be exempted from the said Duties during his Continuance in the same Service, and also every Servant who shall come into the Service of such Master in the Room of such Servant named therein, to serve in the same Capacity, during the Year in which the Duty shall be so charged; and no Servant named in such List, nor any Servant serving such Master in any Capacity named in such List, shall during the Year for which such Duty shall be charged be required for himself to make any such Return, or to pay the said Duty, or be liable to any Penalty by reason of not making any such Return or not paying the said Duty.

EXEMPTION.

Any of the menial Servants of Her Majesty or any of the Royal Family.

SCHEDULE (K.)

A SCHEDULE of the DUTIES payable annually by Persons in respect of any ARMORIAL BEARING or ENSIGN used or worn by them.

	Annual Duty.		
	£	s.	d.
Where such Person shall be chargeable with the Duty of Assessed Taxes for any Carriage at the Rate of 3*l.* 10*s.* - - - - - -	2	12	9
And where such Person shall not be so chargeable -	0	13	2

RULES for charging the said DUTIES.

The said Duties to be paid by every Person having used any Armorial Bearing or Ensign, by whatever Name the same is or shall be called, within the Year preceding the Term for which the Assessment ought to be made, and to extend to every Person who within the

the said Period shall have been possessed of or shall have kept or had any Carriage, or any Seal, Plate, or other Article, on which Carriage, Seal, Plate, or other Article any Armorial Bearing or Ensign shall have been during the said Period painted, engraved, marked, or affixed, and whether such Armorial Bearing or Ensign shall be registered in the College of Arms or not.

EXEMPTIONS.

Any of the Royal Family, or any Person who shall by Right of Office have worn or used any of the Arms or Insignia worn or used by the Royal Family, or used in any City, Borough, or Town Corporate.

SCHEDULE (M.)

No. 1.

Further EXEMPTIONS from the DUTIES in the several Schedules marked (C.) (D.) (E.) (F.) and (G.)

All Persons having ordinarily resided in Ireland, and being Members of either House of the Parliament of the United Kingdom, whether on the Part of Ireland or for any Place in Great Britain, and all Persons who shall hereafter be Members of the said Parliament as aforesaid, and who shall have ordinarily resided in Ireland previous to the Commencement of the Session of Parliament in which they shall respectively serve in Parliament, and all Persons having ordinarily resided in Ireland as aforesaid who shall hereafter be ordinarily resident therein, and now holding or who shall hereafter hold Offices of public Employments in Ireland, and are now residing in Great Britain, or who shall hereafter reside in Great Britain, with the Approbation or by the Order or Direction of the Lord Lieutenant or other Chief Governor or Chief Governors of Ireland for the Time being, or of his or their Chief Secretary for the Time being, and which shall be certified under the Hand of the Lord Lieutenant or Chief Governor or Chief Governors, or his or their Chief Secretary, to be therein resident for the Purposes of assisting in the Execution of public Business, shall be wholly discharged and exempted from the Duties set forth in the Schedules to this Act annexed marked (C.) (D.) (E.) (F.) and (G.); provided that this Exemption shall not extend to any Person ordinarily resident in Ireland as aforesaid, being a Member of either House of Parliament of the United Kingdom, who hath resided or shall reside in Great Britain longer than during the Session of Parliament and Forty Days before and Forty Days after each Session, nor to any Article on which a Duty is by this Act made payable which shall be retained, kept, employed, or used by such Person in Great Britain during the Residence of such Person in Ireland; provided also, that this

this Exemption shall not extend to any Person ordinarily resident in Ireland as aforesaid holding an Office or public Employment in Ireland, unless the Approbation in Writing or such Order or Direction of the said Lord Lieutenant or other Chief Governor or Chief Governors of Ireland for the Time being, or of his or their Chief Secretary for the Time being, and a Description of the Place of Abode in Great Britain of the Persons respectively holding such Offices or Employments, shall have been before the passing of this Act delivered into the Head Office of the Commissioners of Inland Revenue, or shall be so delivered within Twenty Days after the passing of this Act, with respect to Persons then in Great Britain, or within Thirty Days after the Arrival in Great Britain of such Persons respectively who shall thereafter arrive; provided also, that no Person shall for the Purposes of claiming this Exemption be deemed to be ordinarily resident in Ireland unless he shall reside therein during such Portion of the Year as is not covered by the Privilege herein provided; and for the better ascertaining the Fact of such Residence every Person claiming the Benefit of this Exemption shall verify the same upon Oath (if required) before the Commissioners acting in the Execution of this Act in the District where such Person shall reside.

No. 2.

Further EXEMPTIONS from the Duties in the several Schedules marked (C.) (D.) and (E.)

Any Sheriff of any County, or Mayor or other Officer in any Corporation or Royal Burgh, serving an annual Office therein, who during such Year of Service shall have kept or shall keep any Number of Servants, Carriages, or Horses greater than the Number such Person was assessed to prior to the Year of such Service, and who shall have been assessed for such greater Number for One Year, shall be exempt from further Assessment for such greater Number for any other Year, although such Year of Service may have run into a Second Year of Assessment.

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

Sheriff of the said united Counties and Sheriffdom, without the Necessity of any new Commission being issued in his Favour, and shall have and exercise all the Jurisdiction, Powers, Privileges, and Authority competent to the Sheriffs of the said Counties respectively.

County of Peebles to be united with County of Mid-Lothian

II. Whenever a Vacancy shall occur in the Office of Sheriff of the County of *Peebles* the said County shall be united with the County of *Mid-Lothian* into One Sheriffdom, to be called the Sheriffdom of *Mid-Lothian* and *Peebles*, and the Functions of the Sheriff of the said County of *Peebles* shall thereupon devolve on and be discharged by the Sheriff of *Mid-Lothian*, who shall be and shall be denominated the Sheriff of *Mid-Lothian* and *Peebles*, without the Necessity of any new Commission being issued in his Favour, in like Manner and to the like Effect as is herein-before provided.

No separate Appointments to be made to the Office of Sheriff of Counties to be united.

III. No separate Appointment shall hereafter be made to the Office of Sheriff of the said County of *Peebles*, or of any of the Counties specified in the said Schedule, but Appointment shall only be made to the Office of Sheriff of such united Counties or Sheriffdoms as Vacancies shall occur after such Union as aforesaid.

Saving Rights, Privileges, and Liabilities of Counties.

IV. Provided always, That, excepting as regards the Person by whom the Office of Sheriff shall be held and discharged, nothing herein contained shall affect or alter in any way the Rights, Privileges, or Liabilities of the said Counties respectively.

Sheriffs of united Counties not to be entitled to additional Salary.

V. Provided also, That nothing herein contained shall give any Right to the Sheriff of any such united Counties to any additional Salary beyond that enjoyed by him as Sheriff of any Counties or County prior to any Vacancy occurring as aforesaid.

SCHE-

SCHEDULE referred to in the foregoing Act.

Counties to be united.	Title of Sheriffdom.	Title of Sheriff.
1. The County of Sutherland and the County of Caithness.	Sutherland and Caithness.	The Sheriff of Sutherland and Caithness.
2. The County of Banff and the Counties of Elgin and Nairn.	Banff, Elgin, and Nairn	The Sheriff of Banff, Elgin, and Nairn.
3. The County of Linlithgow and the Counties of Clackmannan and Kinross.	Linlithgow, Clackmannan, and Kinross.	The Sheriff of Linlithgow, Clackmannan, and Kinross.
4. The County of Dumbarton and the County of Bute.	Dumbarton and Bute -	The Sheriff of Dumbarton and Bute.
5. The County of Haddington and the County of Berwick.	Haddington and Berwick.	The Sheriff of Haddington and Berwick.
6. The County of Roxburgh and the County of Selkirk.	Roxburgh and Selkirk -	The Sheriff of Roxburgh and Selkirk.
7. The County of Wigton and the Stewartry of Kirkcudbright.	Wigton and Kirkcudbright.	The Sheriff of Wigton and Kirkcudbright.

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

CAP. XCIII.

An Act to enable Burghs in *Scotland* to maintain and improve their Harbours.

[20th *August* 1853.]

WHEREAS the Harbour and other Dues leviable at the Harbours belonging to many of the Royal Burghs in *Scotland* have, by reason of the Change in the Value of Money and other Causes, become inadequate for the Maintenance of such Harbours, and it is expedient that further Provision should be made for the Extension, Improvement, and Regulation of such Harbours, and for the Increase of the Rates and Duties leviable thereat: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. This Act may be adopted and applied in manner herein-after provided in any Royal Burgh in *Scotland* possessing a Harbour which at the Time of passing this Act is not under the Regulation of any Local Act of Parliament.

Act may be adopted in Burghs having Harbour not under Local Acts.

II. The following Words and Expressions in this Act shall have the several Meanings hereby assigned to them, unless there be

Interpretation of Terms

something

something in the Subject or Context repugnant to such Construction; that is to say:

The Word "Burgh" shall mean any Royal Burgh in *Scotland* possessing a Harbour which is not under the Regulations of any Local Act of Parliament:

The Word "Harbour" shall mean the Harbour of any such Burgh, and shall extend to and include the whole Limits assigned to such Harbour by the Charter of such Burgh, or by any Law, Statute, or Usage, and all Docks, Piers, Quays, Yards, Works, Buildings, Creeks, and Anchorages within such Limits:

The Expression "Town Council" shall mean the Provost, Magistrates, and Councillors, or the Magistrates and Councillors, as the Case may be, of any such Burgh for the Time being:

The Words "Treasurer" and "Town Clerk" shall mean the Treasurer and Town Clerk respectively of any such Burgh for the Time being:

The Expression "Board of Trade" shall mean the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations:

The Expression "Improvement" shall mean deepening, lighting, buoying, or any other Work approved by the Lords of the Admiralty.

Short Title.

III. In citing this Act in other Acts of Parliament, and in legal Instruments, Deeds, and Proceedings, it shall be sufficient to use the Expression "The Burgh Harbours (*Scotland*) Act, 1853."

8 & 9 Vict. c. 19. incorporated with this Act.

IV. In so far as not inconsistent with or not otherwise provided or not altered and varied by this Act, "The Lands Clauses Consolidation (*Scotland*) Act, 1845," shall be incorporated with and form Part of this Act: Provided always, that nothing in the said Lands Clauses Consolidation Act, or in this Act, contained shall authorize any Town Council to purchase or take Lands for the Purposes of this Act otherwise than by Agreement.

10 & 11 Vict. c. 27. incorporated with this Act.

V. In so far as not inconsistent with or not otherwise provided or not altered and varied by this Act, "The Harbours, Docks, and Piers Clauses Act, 1847," shall be incorporated with and form Part of this Act: Provided always, that nothing in the said Harbours, Docks, and Piers Clauses Act contained shall extend or be construed to extend to compel any Town Council to erect and keep any Watchhouse, Boathouse, Hut, or Weighing Materials for the Use of the Officers of Revenue, or to provide or keep a Life Boat, Mortar, or Rockets, or a Tide or Weather Gauge and Barometer, until they shall be required so to do by the Lords of the Admiralty, in Writing under the

the Hand of the Secretary of the Admiralty; and upon such Requisition being made, the Clauses relating thereto contained in the said Harbours, Docks, and Piers Clauses Act shall, as regards this Act, come into and be in full Force.

Interpretation of Expressions in the Acts incorporated herewith.

VI. The Expression "the Special Act," used in the said Lands Clauses Consolidation Act, and in the said Harbours, Docks, and Piers Clauses Act, shall be construed to mean and include this Act; and the Expression "the Promoters of the Undertaking," used in the said Lands Clauses Consolidation Act, and the Expression "the Undertakers," used in the said Harbours, Docks, and Piers Clauses Act, shall severally mean the Town Council of any Burgh in which this Act is adopted as herein-after provided.

Town Council may resolve that this Act shall be adopted, and cause such Resolution to be published.

VII. It shall be lawful for the Town Council of any Burgh, by a Majority of the Members of the Council who are present at a Meeting specially called for that Purpose, to resolve that this Act shall be adopted in and applied to the Burgh, and to appoint a Day, not earlier than the Third and not later than the Thirtieth lawful Day after the Completion of the then next ensuing annual Election of Councillors for the Burgh, for holding a Second Special Meeting of the Town Council to resume Consideration of such Resolution; and a Copy of the Minute of the Town Council, containing such Resolution and Appointment, shall be inserted once in each Newspaper published in the Burgh One Month at least before such next annual Election; and if there be no Newspaper published therein a Copy of such Minute shall be delivered or transmitted through the Post Office to each Municipal Elector of the Burgh, and to the Sheriff Clerk and Clerk of the Peace of the County within which such Burgh is situated, and shall be inserted once in a Newspaper published in such County, or in an adjoining County, One Month at least before such next annual Election.

If Resolution approved of, this Act to be adopted, and Minute to be registered in Sheriff Court Books.

VIII. It shall be lawful for the Town Council, at such Second Special Meeting, or at any adjourned Special Meeting (of which adjourned Meeting Four Days Notice in Writing shall be given to each Member of the Council), on resuming Consideration of such Resolution, either to approve or disapprove of the same; and if such Resolution shall be approved of by a Majority of Two Thirds at least of the Members of the Council who are present at such Second Special Meeting or at such adjourned Meeting, this Act shall thereupon be held as adopted in the Burgh; and a Copy of the Minute of the Meeting at which such Resolution shall be so approved of shall, within Fourteen Days thereafter, or within Fourteen Days after the Dismissal of the Appeal against the said Resolution, herein-after provided

provided for, be registered in the Sheriff Court Books of the County in which the Burgh is situated, and another Copy of the said Minute shall be within the like Period of Fourteen Days transmitted to the Office of the Secretary to the Admiralty; and the Provisions of this Act shall be in force in respect to the Burgh and the Harbour thereof from and after such Registration and Transmission, the Date of which or of the last of which shall be held as the Date of the Adoption of this Act.

Appeal to the Board of Trade.

IX. It shall be lawful for any Five or more Municipal Electors, Shipowners, or Traders within such Burgh, or for any Ten or more registered Electors of the County within which such Burgh is situated, who may be dissatisfied with the said Second Resolution of the Town Council resolving that this Act shall be adopted in and applied to the Burgh, to appeal to the Board of Trade against the said Resolution; and the Board of Trade shall, as soon as conveniently may be, after making such Investigation as to the Board shall seem fit, determine whether this Act shall be adopted in and applied to the said Burgh or not; provided that Notice of said Appeal, signed by the said Appellants, shall be lodged with the Town Clerk of said Burgh within Seven Days after the Resolution of the said Town Council.

The Act may be adopted earlier than before provided in certain Cases.

X. And whereas in certain Cases it may be expedient that this Act should be adopted at an earlier Period in the Year One thousand eight hundred and fifty-three than would be competent under the Provisions herein-before contained: Be it enacted, That in case the Town Council of any Burgh shall think it expedient that this Act should be adopted at an earlier Period than the annual Election of Councillors in the Year One thousand eight hundred and fifty-three, it shall be lawful for such Town Council to resolve accordingly, by a Majority of at least Two Thirds of the Members present at a Special Meeting called for the Purpose; and the Council shall thereupon convene a public Meeting of the Municipal Electors of the Burgh, by public Advertisement on Fourteen Days Notice, to consider such Resolution; and in case such Resolution of the Town Council shall be approved of by a Majority of the Municipal Electors present at such public Meeting, the said Resolution shall have the like Force and Effect as if the same had been approved of by a Second Meeting of Council held after the annual Election in manner herein-before provided.

If Act not adopted, Two Years to elapse before Consideration again had.

XI. If at such Second Special Meeting or adjourned Meeting of Council, or at such public Meeting of Municipal Electors, the Resolution to adopt this Act shall not be approved of, the Town Council may, after the Expiration of Two Years from the Date of such

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such First Special Meeting, but not sooner, by such and the like Meetings, Notices, and Proceedings as are herein-before mentioned, again take this Act into consideration, and adopt or determine not to adopt the same, and so on from Time to Time thereafter.

Schedule of Rates to be prepared and published.

XII. The Town Council shall, within One Month after the Date of the Adoption of this Act, prepare a Schedule of the Rates (not exceeding the Rates specified in the Schedule (A.) hereunto annexed) which they may think reasonable and proper to be levied at the Harbour of the Burgh, in lieu of the Rates or Dues then leviable thereat, and shall insert the said Schedule once in each Newspaper published in the Burgh, and, if there be no Newspaper published therein, once in each of Two successive Weeks in a Newspaper published in the County in which the Burgh is situated, or in an adjoining County, and shall also cause a printed Copy of such Schedule to be delivered or transmitted to each Municipal Elector of the Burgh, and to the Sheriff Clerk and Clerk of the Peace of the County within which such Burgh is situated; and it shall be competent to any Municipal Elector, or to any Shipowner or Trader within the Burgh, or to any registered Elector or Landowner in the County in which the Burgh is situated, or in any adjoining County, who may be dissatisfied with such Schedule to lodge Objections thereto in Writing with the Town Clerk within Fourteen Days after the First Insertion of such Schedule in any Newspaper as aforesaid, or within Fourteen Days of the Transmission of a printed Copy of the said Schedule to the Sheriff Clerk and Clerk of the Peace as aforesaid; and the Town Council shall, on resuming Consideration of such Schedule, and of any Objections thereto which may have been lodged with the Town Clerk, dispose of such Objections (if any), and adjust such Schedule, as to them shall seem expedient.

A Copy of the Schedule and a Statement as to the Harbour to be sent to the Admiralty and the Board of Trade.

XIII. A Copy of such adjusted Schedule, certified by the Town Clerk, with Copies of any Objections thereto which may have been lodged as aforesaid, and a Statement signed by the Provost or Acting Chief Magistrate of the Burgh, showing the State of the Harbour, the existing Rates or Dues leviable thereat, the average Revenue of the Harbour for the Three Years preceding the Adoption of this Act, and the probable or estimated Amount of the Rates proposed to be levied under such Schedule, shall, within Fourteen Days after such Schedule has been adjusted as aforesaid, be transmitted by such Provost or Acting Chief Magistrate to the Lords of the Admiralty and to the Board of Trade respectively.

Board of Trade to consider and

XIV. The Board of Trade shall, as soon as conveniently may be after the Receipt of such Schedule and Statement, take the same into

finally adjust the Schedule.

into consideration, and make such Inquiries and obtain such further Information in reference to the several Matters therein set forth as they may deem expedient, and shall either approve or disapprove of such Schedule, or modify the same in such Manner and in such Particulars as in the special Circumstances of each Case they shall think fit, and shall finally adjust such Schedule, and certify the same under the Hand of One of their Secretaries or Assistant Secretaries as containing the maximum Rates to be levied at the Harbour of the Burgh in which this Act has been adopted as aforesaid, and from and after the Date of such Certificate it shall be lawful for the Town Council to demand and take any Sums not exceeding the Rates specified in such Schedule: Provided always, that the Rates in such Schedule shall not in any Case exceed the Rates specified in the Schedule (A.) hereunto annexed.

Exclusive Privileges of Burgesses abolished, and Rates to be charged equally.

XV. From and after the Adoption of this Act in any Burgh, all exclusive Rights or Privileges possessed or claimed by the Freemen or Burgesses of such Burgh, of Exemption from Payment of Harbour Rates or Dues, or of paying a lower Rate of Harbour Dues than Persons not Freemen or Burgesses, shall cease and determine, and the Rates by this Act authorized to be levied shall be at all Times charged equally to all Persons in respect of the same Description of Vessel and the same Description of Goods.

Accounts and Statement of the Revenue of the Harbour to be sent to the Sheriff Clerk annually.

XVI. The annual Account in Abstract required by the said Harbours, Docks, and Piers Clauses Act to be prepared and sent to the Sheriff Clerk shall be made up for the Year ending on the Fifteenth Day of *October*, and in addition to such annual Account in Abstract the Town Council shall annually cause a Statement to be prepared showing the total Revenue of the Harbour for the Year ending on the said Fifteenth Day of *October*, and shall on or before the Expiration of One Month from that Day transmit such annual Account in Abstract, and such Statement, duly audited and certified by the Town Clerk, to the Sheriff Clerk of the County in which the Burgh is situated; and along with the First Statement so transmitted the Town Council shall also send a Copy, certified by the Town Clerk, of the Statement of the average Revenue of the Harbour for the Three Years preceding the Adoption of this Act, transmitted to the Lords of the Admiralty and the Board of Trade, as herein-before directed; and such Statements and certified Copies of Statements shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection; and if the Town Council omit to prepare and send such Annual Accounts or Statements, or certified Copies of Statements, as aforesaid, they shall for every such Omission forfeit the Sum of Twenty Pounds.

XVII. From

XVII. From and after the Adoption of this Act in any Burgh, the whole future Revenue of the Harbour shall be applied and expended by the Town Council in the Maintenance, Improvement, and Extension of the Harbour, and in no other Way and for no other Purpose whatsoever: Provided always, that a Sum equal to the average annual Revenue of the Harbour for the Three Years preceding the Adoption of this Act shall be applicable and may be applied in Payment of the Principal and Interest of the existing Debt, if any, incurred in the Maintenance, Improvement, and Extension of the said Harbour prior to the passing of this Act, and after the same shall have been extinguished and paid off then the whole Sums raised in virtue of this Act shall be applied and expended by the Town Council in the Maintenance, Improvement, and Extension of the said Harbour, and in no other Way and for no other Purpose whatever.

Increase of Revenue to be applied in extending and improving the Harbour.

XVIII. It shall be lawful for the Town Council from Time to Time to borrow, for the Purposes of extending or improving the Harbour, such Sum or Sums as they shall deem expedient, or to accept and take from any Bank or Banking Company Credit to such Amount as they shall deem expedient on a Cash Account, to be opened and kept with such Bank or Banking Company in the Name of the Town Council, according to the Usage of Bankers in *Scotland*, and to assign the Rates by this Act authorized to be levied in security of the Repayment of the Sum so borrowed, or of the Amount of such Credit, or of the Sums advanced from Time to Time on such Cash Account, with Interest thereon respectively: Provided always, that Intimation shall be given by the Town Council of their Intention to borrow Money or to take a Cash Credit, by the Insertion of a Notice to that Effect, and stating the Sum proposed to be borrowed, or the Amount of the Credit proposed to be taken, once in a Newspaper published in the Burgh, or if there be no Newspaper published therein, once in a Newspaper published in the County in which the Burgh is situated, or in an adjoining County, One Month at least before the Meeting of the Town Council at which it is intended to authorize the borrowing of such Sum or the taking of such Cash Credit: Provided also, that the Resolution to borrow any Sum of Money or to take any Cash Credit shall be approved of by at least Two Thirds of the Members of the Council who are present at such Meeting; and that the whole Sums so borrowed or advanced shall be applied and expended in the Extension and Improvement of the Harbour, and in no other Way and for no other Purpose whatsoever.

Town Council may borrow Money on the Security of the Rates.

XIX. The Bonds and Assignations to be granted for securing the Repayment of the Sums to be borrowed or advanced as aforesaid shall

Bonds and Assignations may be granted for Sum-

borrowed or advanced.

shall be in the Form of the Schedule (B.) hereunto annexed, or as near as may be, and shall be signed by the Provost or acting Chief Magistrate of the Burgh, and by the Treasurer and Town Clerk at an open Meeting of the Town Council, and Two of the Councillors present shall sign as Witnesses thereto; and such Bonds and Assignations shall be recorded in the Minute Books of the Town Council, and a Certificate of such Registration shall be indorsed on such Bonds and Assignations, and signed by the Town Clerk; and in case of Competition such Bonds and Assignations shall have Priority and Preference according to the Dates of such Registration; and until Repayment of the Sums so borrowed or advanced, and Interest thereon, such Sums, and the Bonds and Assignations granted therefor respectively, shall form a Lien on the Rates by this Act authorized to be levied preferable to all other Debts and Claims against the Burgh, and the Creditors in right of such Sums shall be entitled to receive the same from the Town Council and their Officers out of the first and readiest of such Rates.

Bonds and Assignations may be transferred by Indorsation.

XX. Such Bonds and Assignations may be transferred by Indorsation in the Form of the Schedule (C.) hereunto annexed, or as near as may be; and every Transfer shall be produced to the Town Clerk, who shall forthwith enter in the Minute Book of the Town Council a Memorandum of the Date of such Transfer, the Names of the Parties thereto, and the Amount, Number, and Date of the Bond and Assignation so transferred; and a Certificate of such Entry shall be indorsed on such Bond and Assignation, and signed by the Treasurer and Town Clerk, and thereupon the Person to whom the same has been so transferred, and his Heirs, Executors, or Assignees, shall have full Right thereto, and to the whole Sums, Principal and Interest, therein contained.

Town Council may apply for a further Increase of Rates.

XXI. If it shall at any Time appear to the Town Council that the Revenue of the Harbour arising from Rates specified in a Schedule certified by the Board of Trade as before mentioned is not adequate to the necessary Extension and Improvement of the Harbour, it shall be lawful for the Town Council to prepare an amended Schedule of Rates (not exceeding the Rates specified in the Schedule (A.) hereunto annexed), and on the like Notices being given, and the like Procedure in all respects being adopted, as is herein-before provided in regard to the Adjustment of the Schedule of Rates prepared by the Town Council on the Adoption of this Act, to transmit such amended Schedule, with Copies of any Objections thereto, and a Statement showing the several Particulars herein-before mentioned, to the Lords of the Admiralty and the Board of Trade in the Manner herein-before directed, and on such amended Schedule being adjusted and

and certified by the Board of Trade under the Hand of their Secretary as aforesaid it shall be lawful for the Town Council to demand and take any Sums not exceeding the Rates therein specified: Provided always, that the Schedule of Rates to be levied at any Harbour shall not be altered until the Expiration of at least Five Years from the Date of each Adjustment and Certification thereof by the Board of Trade.

Board of Trade may inquire into and regulate Rates.

XXII. It shall be lawful for any Five or more of the said Municipal Electors, Shipowners, Traders, Landowners, or registered County Electors, after the Expiration of the said Five Years, to apply to the Board of Trade to reduce or alter and vary the said Rates; and they shall thereupon make such Inquiries and obtain such Information in reference thereto as they may deem expedient, and shall thereafter make such Order thereon as in the special Circumstances of the Case they shall see fit.

Town Council may extend and improve the Harbour.

XXIII. Subject to the Provisions of this Act and the Acts incorporated herewith, it shall be lawful for the Town Council to purchase and acquire such Lands contiguous to the Harbour as may be required for the Extension and Improvement thereof, and by themselves, or their Officers and Servants or others employed by them, to extend, enlarge, and improve the Harbour, to repair, deepen, and cleanse the same, and to make and maintain additional Piers, Quays, and Docks, and all other Works and Buildings connected therewith which may be necessary for the Reception and Accommodation of Ships and Vessels resorting to the Harbour, and for the Protection and Storage of Goods, and to make, widen, and maintain all necessary Roads and Accesses to the Harbour and Works.

Plans and Working Drawings of the Works to be deposited at the Admiralty Office for Approval.

XXIV. Previous to extending or improving the Harbour or constructing any Works connected therewith, the Town Council shall deposit at the Admiralty Office, *Whitehall*, Plans and Working Drawings of the Harbour and the proposed Works connected therewith, for the Approval of the Lords of the Admiralty; and, notwithstanding anything in this Act contained, the Harbour and Works connected therewith shall be extended and improved only according to such Plan as shall be previously approved of by the Lords of the Admiralty, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty; and if any Works shall be commenced or completed contrary to the Provisions of this Act, it shall be lawful for the Lords of the Admiralty to abate and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Town Council, and the Amount thereof shall be a Debt due to the Crown, and be recoverable accordingly.

Forms of Proceedings against Offenders.

XXV. The Complaint and Proceedings before the Sheriff or Justice or Justices before whom any Person shall be complained of or proceeded against, for any Offence under the Provisions of this Act, or the Acts incorporated herewith, may be raised and prosecuted at the Instance of the Procurator Fiscal of the Burgh, or of the Collector of the Harbour Rates, or of any other Officer or Person thereto authorized by any General or Special Order of the Town Council; and such Complaint and Proceedings, and the Sentence or Conviction thereon, may be in the Form of the Schedule (D.) hereunto annexed, or as near as may be; and, except that such Complaint, and the Sentence to be pronounced in relation thereto, shall be in Writing, no other Writing or written Record of Evidence or Procedure shall be necessary, unless the Sheriff or Justice or Justices at the Hearing of the Complaint shall cause or allow the Procedure or Evidence to be taken down in Writing.

Transient Offenders may be apprehended and taken before the Sheriff or a Justice of the Peace.

XXVI. It shall be lawful for the Officers or Persons appointed and acting under the Authority of this Act to seize and detain any transient Persons unknown to them who shall commit any Offence against the Provisions of this Act or the Acts incorporated herewith, and to convey such Persons before the Sheriff or any Justice, without any other Warrant than this Act for so doing, and such Sheriff and Justice respectively are hereby empowered to proceed with all convenient Despatch, and without the Necessity of serving a Copy of the Complaint, to the summary hearing and determining of the same.

Saving the Rights of the Crown.

XXVII. Nothing contained in this Act or in the Acts incorporated herewith, shall extend to authorize any Town Council to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or any One of them, first had and obtained for that Purpose, and which such Commissioners, or any One of them, are hereby authorized and empowered to give; or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

I. Rates on Vessels entering or using the Harbours.

	Per Ton. £	s.	d.
For every Vessel under the Burden of Fifteen Tons - -	0	0	4
For every Vessel of the Burden of Fifteen Tons, and under Fifty Tons - - - - - - - - -	0	0	6
For every Vessel of the Burden of Fifty Tons, and under One hundred Tons - - - - - - -	0	0	8
For every Vessel of the Burden of One hundred Tons, and under One hundred and fifty Tons - - - - - -	0	0	10
For every Vessel of the Burden of One hundred and fifty Tons and upwards - - - - - - - -	0	1	0
All Lighters from any Vessel in the Roads shall be exempted from Rates, but if the Vessel do not enter the Harbour every Lighter shall pay for each Trip - - - - - - - -	0	0	2

	£	s.	d.
All Boats entirely open, landing or taking on board Goods or dried or salted Fish, each - - -	0	0	6
All drave or large Boats entering the Harbour or Precincts thereof with fresh Fish, each - -	0	0	4

II. Rates on Goods shipped or unshipped at the Harbour.

		s.	d.
Ale - - - - - - -	per Hogshead	0	6
Ale, bottled - - - - -	per Barrel Bulk	0	3
Bark - - - - - - - - -	per Ton	1	0
Beef or Pork - - - - - -	per Ton	1	4
Beef or Pork - - - - - - -	per Barrel	0	2
Blubber - - - - - -	per Tun of 252 Gallons	1	0
Bone Dust - - - - - - - - -	per Ton	0	8
Bones of Cattle - - -	per Ton	0	6
Bottles - - - - -	per Gross	0	2
Bricks - - - - - -	per 1000	0	8
Casks, empty, not being returned Packages -	per Puncheon	0	3

Other Casks in proportion.

Burgh Harbours (Scotland).

		s.	d.
Cattle:			
Bulls	each	0	3
Cows and Oxen	each	0	2
Calves	each	0	0½
Horses	each	0	2
Pigs	each	0	0½
Sheep	per Score	0	6
Lambs	per Score	0	3
Chalk	per Ton	0	8
Chimney Cans	per 100	1	4
Clay, Fire, manufactured	per Ton	0	6
Clay, common	per Ton	0	2
Cloth, Haberdashery, &c.	per Barrel Bulk	0	2
Coaches:			
Chaises and other Four-wheeled Carriages	each	0	8
Gigs, Carts, and other Two-wheeled Carriages	each	0	6
Coals, Scotch, English, Smithy, and Culm	per Ton	0	3
Copper	per Ton	1	4
Corks	per Barrel Bulk	0	2
Corn, viz.			
Wheat and Malt	per Quarter	0	3
Barley, Beans, Peas, Tares, Oats, Rye, Buckwheat, and Indian Corn	per Quarter	0	2
Crystal	per Barrel Bulk	0	2
Dissolved Bones and other artificial Manures	per Ton	0	8
Dogs, Sporting only	each	0	2
Drugs	per Barrel Bulk	0	3
Earthenware	per Crate	0	8
Eggs	per Barrel Bulk	0	2
Fish, dried and salted	per Ton	1	4
Haddocks, Cod, Salmon, and all fresh Fish, not enumerated	per Barrel Bulk	0	2
Flax	per Ton	1	4
Flour	per Sack	0	2
Ditto	per Barrel	0	1½
Glass	per Barrel Bulk	0	3
Groceries, viz.			
Almonds, Figs, Cinnamon, Currants, Pepper, Pimento, Plums, Prunes, Raisins, and the like	per Barrel Bulk	0	3
Guano	per Ton	0	8
Gunpowder	per Barrel	0	3
Hardware	per Barrel Bulk	0	3
Hares and Rabbits	per Dozen	0	2
Any less Quantity		0	1
Hay	per Ton	0	8
Hemp	per Ton	1	4
Herrings, fresh	per Cran	0	1
Ditto, cured	per Barrel	0	3

Burgh Harbours (Scotland).

		s.	d.
Hides:—Ox, Cow, or Horse, salted or dried	per Ton	1	4
Calf Skins	per 120	0	10
Sheep Skins	per 120	0	10
Lamb Skins	per 120	0	5
Hoops of Wood	per 1,500	1	0
Household Furniture, new	per Barrel Bulk	0	1
Household Furniture belonging to Parties changing their Residence only	per 10 Barrels Bulk	0	6
Husbandry Utensils	per Ton	1	4
Ditto	per Barrel Bulk	0	2
Iron:—Bar, Bolt, and Rod	per Ton	1	4
Pig or Old	per Ton	0	8
Kelp	per Ton	0	8
Lead, all Kinds	per Ton	1	4
Leather, tanned and dressed	per Ton	1	4
Lime	per Chaldron of 16 Bolls	1	4
Limestone	per Ton	0	3
Loam or moulding Sand	per Ton	0	3
Machinery	per Ton	1	4
Machinery	per Barrel Bulk	0	3
Manure, Street	per Ton	0	2
Meal	per Bag of 280 lbs.	0	2
Milk	per Three large Pitchers	0	0½
Musical Instruments	per Barrel Bulk	0	3
Oils	per Tun	1	0
Ores:—Copper, Iron, Lead, and other Ores	per Ton	0	8
Passengers Luggage, not exceeding 4 Barrels Bulk, free.			
All above 4 Barrels Bulk	per Barrel Bulk	0	3
Peats	per Ton	0	3
Pitch	per Barrel	0	3
Porter	per Hogshead	0	4
Porter, bottled	per Barrel Bulk	0	2
Potatoes	per Ton	0	6
Poultry, including Pigeons, Game, &c.	per Dozen	0	1
Any less Quantity		0	0½
Rags, Linen	per Ton	1	4
Other Rags, Old Ropes, and the like	per Ton	0	10
Rape Cakes	per Ton	0	8
Salt	per Ton	0	10
Seeds, Flax and Rape	per Hogshead	0	6
Flax	per Barrel	0	3
Flax in Bulk	per Quarter	0	2
Clover	per Ton	1	4
Seeds, Garden	per Ton	1	4
Hemp and Canary	per Ton	1	4
Rye Grass	per 8 Bushels	0	2

		s.	d.
Skins, Seal	per 120	0	8
Slates, under Size	per 1,000	0	6
Sizeable	per 1,000	0	10
over Size	per 1,000	1	4
Spirits, Foreign and British	per Hogshead of 56 Gallons	0	8
Stones, Rubble	per Ton of 16 Cubic Feet	0	2
Hewn Ashlar Freestone	per Ton of 16 Cubic Feet	0	4
Rough Ashlar Freestone	per Ton of 16 Cubic Feet	0	3
Pavement not exceeding 3 Inches thick	per 70 Feet	0	4
Pavement above 3 Inches thick	per 16 Cubic Feet	0	4
Scythe Stones	per Score	0	1
Mill Stones	each	0	8
Steel	per Ton	1	4
Sugar	per Ton	1	4
Tallow	per Ton	1	4
Tar	per Barrel	0	2
Tea	per Chest	0	3
Tiles, roofing	per 1,000	0	9
Tiles or Pipes for draining	per 1,000	0	8
Tin of all Kinds	per Ton	1	4
Tobacco	per Ton	2	6
Treenails under 2 Feet in Length	per 1,000	0	6
Treenails exceeding 2 Feet in Length	per 1,000	1	0
Turnips	per Ton	0	6
Turpentine	per Hogshead	0	8
Vegetables	per Cartload	0	2
Vinegar	per Hogshead	0	6
Vitriol	per Carboy	0	2
Whalebone	per Ton	2	6
Wine	per Hogshead	0	8
Wine, bottled	per Barrel Bulk	0	4
Wood:			
Fir, Pine, and other Descriptions not enumerated	per Load of 50 Feet	0	10
Oak or Wainscoat	per Load of 50 Feet	1	0
Firewood	per Fathom	0	6
Laths and Lathwood	per Fathom of 216 Cubic Feet	2	6
Handspokes	per 120	0	10
Oars	per 120	2	6
Spars under 22 Feet in Length, above 2½ and under 4 Inches Diameter	per 120	2	6
Spars 2½ Inches in Diameter and under	per 120	1	4
Spars, 22 Feet in Length and upwards, and not exceeding 4 Inches in Diameter	per 120	6	6
Spars of all Lengths above 4 and under 6 Inches in Diameter	per 120	12	0

Burgh Harbours (Scotland).

		s.	d.
Wood: Spokes of Wheels, not exceeding 2 Feet in Length	per 120	0	4
Exceeding 2 Feet in Length - -	per 120	0	6
Wedges - - - - -	per 1,000	1	0
Pipe Staves, and others in proportion -	per Standard Hundred	1	0
Lignum Vitæ, Fustic, Logwood, Mahogany, and Rose-wood - - - - - -	per Ton	1	4
Wool - - - - - -	per Cwt.	0	2
Yarn - - - - - -	per Ton	1	4
Zinc - - - - - -	per Ton	1	4

All other Goods not particularly enumerated in the above Table.

Light Goods - - - - -	per Barrel Bulk	0	2
Heavy Goods - - - - -	per Ton	1	4

In charging the Rates on Goods the gross Weight or Measurement of all Goods to be taken; and for any less Weights, Measures, and Quantities than those above specified, a Proportion of the respective Rates shall be charged.

Five Cubic Feet, not exceeding Two and a Half Cwt., to be rated as a Barrel Bulk; but when the Weight of Five Cubic Feet is greater than Two and a Half Cwt., then Two and a Half Cwt., to be rated as a Barrel Bulk.

III. Rates for the Use of Cranes, Weighing Machines, and Sheds.

1st. Rates of Craneage.

		s.	d.
All Goods or Packages, not exceeding One Ton - - -		0	3
Exceeding One Ton and not exceeding Two Tons - -		0	4
„ Two Tons „ Three Tons - -		0	6
„ Three Tons „ Four Tons - -		0	8
„ Four Tons „ Five Tons - -		0	10
„ Five Tons „ Six Tons - -		1	0
„ Six Tons „ Seven Tons - -		1	2
„ Seven Tons „ Eight Tons - -		1	4
„ Eight Tons „ Nine Tons - -		1	8
„ Nine Tons „ Ten Tons - -		2	0
„ Ten Tons - - - - -		3	0

2d. Weighing Machines.

For Goods weighed, One Penny for each Ton or Part of a Ton.

3d. Shed Dues.

For each Ton of Goods of Eight Barrels Bulk, or for each Ton of Goods of Twenty Cwt., which shall remain in the Sheds, or on the Quays of the Harbour, for a longer Time than Forty-eight Hours, the Sum of Threepence; and the Sum of One Penny Halfpenny per Ton for each Day during which such Goods shall remain after the first Forty-eight Hours.

SCHEDULE (B.)

Form of Bond and Assignation.

The Royal Burgh of has this Day borrowed the Sum of from *A.B.* [*or* has this Day obtained a Cash Credit to the Extent of Pounds with the [*insert Name of Bank*]] for the Extension and Improvement of the Harbour of the said Burgh, which Sum [*in the Case of a Cash Account add*, or such Part thereof as may from Time to Time be drawn out by Cheques or Orders signed by the Treasurer and Town Clerk of the said Burgh,] we hereby bind the said Burgh to pay to the said *A.B.*, his Heirs, Executors, and Assignees, [*or* to the said Bank,] at the Term of next, with Interest thereof at the Rate of per Centum per Annum from the Date hereof, payable half-yearly at the Terms of Whitsunday and Martinmas in each Year until paid [*or* periodically from the Date of Advance until repaid, *as the Case may be*]; and we hereby assign to the said *A.B.* and his foresaids [*or* to the said Bank] the Rates authorized to be levied at the said Harbour by the Act [*specify this Act*] in security of the Repayment of the foresaid Sums, Principal and Interest, which are hereby declared a Lien on the said Rates; and we consent, *&c.* [*Registration and Testing Clause according to the Form of the Law of Scotland.*]

SCHEDULE (C.)

Form of Transfer.

I *A.B.* do hereby transfer the Sum of with Interest thereof from and after the Term of next, contained in and due by the within written Bond and Assignation, and all Right and Interest which I have under the same, to *C.D.*, his Heirs, Executors, and Assignees. In witness whereof [*insert Testing Clause according to the Form of the Law of Scotland.*]

SCHEDULE (D.)

Form of Complaint.

Unto the Honourable the Sheriff of [*or* Her Majesty's Justices of the Peace for] the County of

The Petition and Complaint of *A.B.*

Humbly sheweth,

That *C.D.* has been guilty of a Contravention of "The Burgh Harbours (Scotland) Act, 1853," and of "The Harbours, Docks, and Piers Clauses Act, 1847," incorporated therewith, or one or other of the said Acts, in so far as [*here describe the Offence generally, and state the Time and Place when and where the same*

same was committed], whereby the said *C.D.* has incurred the Forfeiture [*or* Penalty] of provided by the Section of the said "Burgh Harbours Scotland Act" [*or* of the said "Harbours, Docks, and Piers Clauses Act."]

May it therefore please your to grant Warrant to summon the said *C.D.* to appear before to answer to this Complaint, and to be dealt with in Terms of the said Acts or One or other of them.

According to Justice, *&c.*

[*To be signed by Complainer.*]

FORM OF WARRANT.

[*Place and Date.*]

Having considered the foregoing Complaint, grants Warrants to summon the said *C.D.* complained of to appear before [*Magistrate and Place and Time*], and that by serving the said *C.D.* with a Copy of the foregoing Complaint and of this Deliverance, and also grants Warrant for citing Witnesses at the Instance of both Parties to attend at the same Place and Time.

[*Signed by Sheriff or Justice of the Peace.*]

FORM OF SENTENCE.

[*Place and Date.*]

The [*Magistrate*] in respect of the Evidence adduced [*or* of the judicial Confession of the said *C.D.*, *as the Case may be*,] convicts the said *C.D.* of the Offence charged, and therefore decerns and adjudges him to forfeit and pay to the Complainer the Sum of of Penalty, with the Sum of of Expenses, One Half of the said Penalty to be retained by the Complainer, and the other Half thereof [*or as the Case may be*] to be paid and accounted for by him to the Kirk Session or Collector of the Funds for the Poor of the Parish of , and failing Payment by the said *C.D.* forthwith,* grants Warrant for Recovery of the said Penalty and Expenses by Poinding of his Goods and Effects and summary Sale thereof, on the Expiration of not less than Forty-eight Hours after such Poinding; appoints a Return or Execution of such Poinding and Sale to be reported within Eight Days from this Date, and in the meantime grants Warrant for detaining the said *C.D.* in the Prison of until such Return be reported.

* [*If it shall appear at the Trial that no sufficient Poinding can be made within the Jurisdiction of the Magistrate, say here,* "and in respect it appears that no sufficient "Poinding and Sale can be had whereon to levy the said Penalty and Expenses, grants "Warrant to imprison the said *C.D.* in the Prison of for the Space of " from this Date, unless the said Penalty and Expenses be sooner paid, " and decerns."]

WARRANT of IMPRISONMENT to be granted in case of a Return being made that no sufficient Goods and Effects could be found.

[*Place and Date.*]

The [*Magistrate*] in respect of the Return made that no sufficient Effects can be found whereon to levy the said Penalty and Expenses, grants Warrant to imprison the said *C.D.* in the Prison of for the Space of from this Date, unless the said Penalty and Expenses be sooner paid, and decerns.

WARRANT OF LIBERATION.

[*Place and Date.*]

The [*Magistrate*] in respect of the Return of a sufficient Poinding and Sale of the Effects of the said *C.D.* [*or* in respect of Payment having been made of the said Penalty and Expenses, *as the Case may be,*] grants Warrant to the Keeper of the Prison of for the immediate Liberation of the said *C.D.*, and decerns.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1853.

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

Court of Session in *Scotland*, in so far as such Provisions regard Applications or Petitions to the Court of Session under the Authority of the said recited Act or of this Act, the Matters to be set forth in such Applications or Petitions, the Intimation and Service, and Advertisement thereof, the Persons to be called as Parties thereto, and the Mode of calling them, the making and producing of Affidavits therein, the Matters to be set forth in such Affidavits, and generally the Procedure under such Applications or Petitions: Provided always, that no Injury shall have been suffered by any Person through such Want of Compliance; provided also, that nothing herein contained shall be held to support or validate any Interlocutor, Judgment, or Decree as aforesaid obtained or which may be obtained without the requisite Consents prescribed by the said recited Act, or without Service of the Petition upon any Party expressly required by the said recited Act to be called in the Application, or shall be held to support or validate any Interlocutor, Judgment, or Decree as aforesaid, in so far as such Interlocutor, Judgment, or Decree shall go beyond what was or may be concluded or prayed for in the Application under which it was or may be pronounced.

Applications or Petitions may during Vacation be presented to Lord Ordinary officiating on Bills, who may proceed as may be requisite, &c.

II. Every Application or Petition which under the said recited Act or under this Act may be presented to the Court of Session during the Sittings of the said Court, may, during any Vacation or Recess of the said Court, be presented to the Lord Ordinary officiating on the Bills; and it shall be competent for the Lord Ordinary officiating on the Bills in each Time of Vacation or Recess to appoint or grant Warrant for such Intimation, Service, and Advertisement with respect to such Application or Petition as may be requisite or may be deemed proper; and all such Procedure which shall take place under the Authority of such Lord Ordinary officiating on the Bills shall be equally valid and effectual to all Intents and Purposes as if the same had taken place under the Authority of the Court: Provided aways, that every such Application or Petition shall be addressed to the Court, and shall, during the Sitting of the Court, be proceeded with in the same Manner as if any Procedure which may have taken place before the Lord Ordinary on the Bills in Time of Vacation or Recess under the Authority of this Act had taken place before the Court in Time of Session.

Applications, &c. may be amended where authorized by the Court.

III. Every Application or Petition under the said recited Act or under this Act may be amended, where such Amendment shall be authorized by the Court; and it shall not be necessary in respect of such Amendment to make any Intimation or Service or Advertisement, except such Intimation or Service or Advertisement, if any, as the Court may in the Circumstances of the Case think fit to appoint.

IV. It

IV. It shall be lawful for any Heir of Entail who is or shall be in a Position to obtain his Lands disentailed under the Provisions of the said recited Act to execute an Instrument of Disentail thereof without the previous Sanction of the Court, and to produce such executed Instrument of Disentail either along with an Application to the Court for Authority to record such Instrument of Disentail in the Register of Tailzies, or at any Time in the Course of the Proceedings under such Application when he shall think fit or when such Production shall be ordered by the Court; and the whole Provisions of the said recited Act with reference to Applications to the Court by the said recited Act authorized shall be applicable and apply to such Applications as aforesaid, and to all Applications under this Act; and on such Application being presented, and such Consents, if any, as are required by the said recited Act being obtained, and on the Court being satisfied that the Procedure is regular, and in conformity with the Provisions of the said recited Act and of this Act, the Court shall grant Warrant for recording such Instrument of Disentail in the Register of Tailzies, and such Instrument of Disentail, when so recorded, shall have the like Effect and the like Privileges in all respects as any Instrument of Disentail duly recorded under the Provisions of the said recited Act.

Instruments of Disentail may be executed, and the Sanction and Authority of the Court to record the same afterwards applied for.

V. It shall be lawful for any Heir of Entail who is or shall be in a Position to sell, alienate, dispone, charge with Debts or Incumbrances, lease, feu, or excamb his entailed Estate, in whole or in part, under the Provisions of the said recited Act, to execute without the previous Sanction of the Court a Deed of Conveyance or Contract of Excambion, or other Deed for giving effect to such Sale, Disposition, Charge, Lease, Feu, or Excambion, and to produce such executed Deed either along with an Application to the Court for its Sanction thereto, or at any Time in the Course of the Proceedings under such Application when he shall think fit or when such Production shall be ordered by the Court; and on such Application being presented, and such Consents, if any, as are required by the said recited Act being obtained, containing express Consent to and Approval of such Deed of Conveyance or Contract of Excambion or other Deed executed as aforesaid, and on the Court being satisfied that the Procedure is regular, and in conformity with the Provisions of the said recited Act and of this Act, the Court shall pronounce an Interlocutor approving of such Sale, Disposition, Charge, Lease, Feu, or Excambion, as the Case may be, and of the Deed executed as aforesaid for carrying the same into effect, and thereupon such Deed shall have the same Force and Effect in every respect as if the same had been made and executed at the Sight of the Court, in Terms of the said recited Act.

Conveyances Excambions, &c. may be made, and the Authority of the Court afterwards interponed.

VI. It

Competent to present continuing Petitions for Authority to grant Feus and long Leases.

VI. It shall be lawful for the Court, upon an Application by any Heir of Entail, entitled, in Terms of the said recited Act, to apply for the Authority and Approbation of the Court to the granting of Feus and long Leases, to an Extent not exceeding in all One Eighth Part in Value for the Time of the entailed Estate, to fix and determine the minimum Rates of Feu Duty or Tack Duty at which the Lands specified in such Application, or the different Portions of such Lands where the same are of different Values, may be feued or let on long Leases; and such minimum Rate or Rates of Feu Duty or Tack Duty, being so fixed by Interlocutor of the Court, shall be acted upon with reference to all Feus or long Leases which may be granted from Time to Time under such Application, unless the Court, upon being moved to that Effect by such Heir of Entail, or by any other Party entitled to appear, shall afterwards alter the same, (which the Court is hereby authorized to do, from Time to Time, upon Motion to that Effect as aforesaid,) in which Case such altered Rate or Rates of Feu Duty or Tack Duty shall be substituted for the Rate or Rates of Feu Duty or Tack Duty previously established; and in like Manner it shall be lawful for the Court, upon such Application as aforesaid, to approve, by Interlocutor, of a Form of Feu Charter, Feu Contract, or Feu Disposition, or a Form of long Lease, to be made use of under such Application, from Time to Time as such Feus or long Leases shall be granted, and to grant Authority to such Heir of Entail to grant Feus or long Leases in the Form so approved of, from Time to Time, as he shall think proper, subject to any Conditions or Stipulations which the Court may deem necessary; and such Form may be altered by the Court from Time to Time as the Court shall see fit in the Course of the Proceedings: Provided always, that it shall not be lawful for such Heir of Entail to take any Grassum or Fine or other valuable Consideration other than the Feu Duty or Rent for granting any such Feu or Lease, nor to grant any such Feu or Lease of the Mansion House, Offices, or Policies of the Estate; and in case any such Grassum, Fine, or Consideration shall be taken, and in case any Feu or Lease hereby prohibited shall be granted, such Feu or Lease shall be null and void.

Bond and Disposition in Security for Provision to younger Child may be granted to any Party advancing the Amount thereof.

VII. Where an Heir of Entail in possession of an entailed Estate in *Scotland* entitled or allowed under the said recited Act to charge the Fee and Rents of such Estate, or of any Portion thereof, with the Amount of any Provision to a younger Child, and corresponding Interest and Penalties, has granted or shall grant Bond and Disposition in Security therefor over such Estate or any Portion thereof, under the Authority of the said Act, such Bond and Disposition in Security shall be valid and effectual whether the same be granted to such younger Child or any other Party in right of such Provision, or

or to any Party or Parties advancing the Amount thereof, in order to the Payment of such younger Child: Provided always, that if such Bond and Disposition in Security be not granted directly to such younger Child or other Party in right of such Provision, such Provision be formally discharged by such younger Child, or the Amount of such Provision, with any Interest due thereon, be paid over to or consigned or invested for Behoof of such younger Child or other Party in right of the same, at the Sight of the Court.

Money placed in trust prior to 1st August 1848 to purchase Land to be entailed may be partly invested in Land and partly employed for the Benefit of such Land.

VIII. Where, under any Deed executed prior to the First Day of *August* One thousand eight hundred and forty-eight, any Money is or shall be held in trust for the Purpose of purchasing Land to be entailed, and such Trust has been or shall be partially implemented by the Investment in Land of a Portion of such Trust Money, and also where under any Deed executed as aforesaid any Land has been invested in trust with a view to the same or any Part thereof being entailed, and any Money is or shall be held under such or any other Deed executed as aforesaid in trust to be invested in Land to be added to such entailed Estate, and where in either of the Cases aforesaid the Heir of Entail in possession of such Land for the Time being, if such Land has been entailed in Terms of such Trust, or the Party who, if such Land had been entailed or Money had been invested in Land, which Land had been entailed in Terms of such Trust, would be the Heir of Entail in possession thereof, shall have made or shall make summary Application to the Court for Authority to lay out the uninvested Portion of such Money, or any Part thereof, in or towards Payment of any Money charged, under this or the said recited Act or under any other Act, upon the Fee of the Land purchased or directed to be entailed as aforesaid, or in the Redemption of the Land Tax affecting such Land, or in building or repairing Mansion House or Offices, or otherwise permanently improving the same, or in Repayment of Money already expended in such Improvements, (such Application to the Court always setting forth the Amount of Money so proposed to be laid out, and the special Purpose to which it is intended to apply the same,) the Court, if satisfied of the Propriety of the proposed Application, shall issue a Finding or Decree to that Effect, and authorizing such Application; and it shall thereafter be lawful for the Petitioner, or other Party having the Control of such Money, and for the Petitioner to call upon such Party having such Control, to lay out such Money or any Part thereof, according as the Court shall have authorized the Application of the same, to all or any of the before-mentioned Purposes; and if there shall be any Surplus of such Money after the Purposes authorized by such Decree of Court shall be fulfilled, the same shall, if more than Two hundred Pounds, be applied as the whole Money would have

 been

been applied but for the Provisions of this Act, and if less than Two hundred Pounds, shall be paid to the Petitioner for his own Use and Behoof.

Sales may be made to pay off Entailer's Debts.

IX. In all Cases where there are or shall be Entailer's Debts or other Debts or Sums of Money which might lawfully be made chargeable upon the Fee of an entailed Estate, the Heir of Entail in possession of such Estate for the Time being shall have all the like Powers with regard to Sale and Disposal of any Portion or Portions of such Estate, for the Purpose of paying off such Debts or Sums of Money, as are conferred by the said recited Act with reference to the Payment of Debt which is validly charged on the Fee of such Estate; and all the Provisions of the said recited Act respecting Sales which may be made in order to pay off Debt which is validly charged on the Fee of such Estate as aforesaid, and respecting the Dispositions which may be granted for carrying such Sales into effect, and respecting the Approval of the Prices for which such Sales shall be made, and respecting the Application of the Prices to be obtained upon such Sales, and respecting the Tailzies which may be executed of any Lands to be purchased by means of such Prices, shall be applicable and apply, *mutatis mutandis*, to Sales which may be made under this Act for paying off Entailer's Debt or other Debts or Sums of Money as aforesaid, and to Dispositions which may be granted for carrying such last-mentioned Sales into effect, and to Prices for which such last-mentioned Sales may be made, and to Tailzies which may be executed of any Lands to be purchased by means of such Prices.

Where, at passing of this Act, Entailed Estates may be sold under judicial Authority, Parties entitled to sell may make Application to the Court, in Form prescribed by recited Act.

X. Where at the Date of the passing of this Act any entailed Estate in *Scotland* may be sold and disposed of, in whole or in part, under judicial Authority, in virtue of the Provisions of any special Act of Parliament, or otherwise, it shall be competent for any Party entitled to sell or dispose of such entailed Estate, in whole or in part as aforesaid, to make Application to the Court in the Form and Manner prescribed by the said recited Act with reference to Applications under the said recited Act, and with such Consents, if any, as may be requisite to such Sale and Disposal in Terms of such special Act of Parliament, or otherwise, and without any other Consents, in order to obtain the Authority of the Court to sell and dispose of such entailed Estate, in whole or in part; and the Court shall, under such Application, grant Warrant for and authorize the Sale of such entailed Estate, in whole or in part, as the Case may be, upon such reasonable Advertisement, and on such Terms and Conditions as the Court may deem proper in the Circumstances, without regard to any Forms of Procedure prescribed by such special Act of Parliament, or otherwise; and all Sales and Conveyances which may be made and granted under

under any such Application as aforesaid shall be equally valid and effectual in all respects as if made under such special Act of Parliament or otherwise, and according to the Forms which, if this Act had not been passed, it would have been necessary to follow.

In Contracts of Excambion, &c. the Destination, &c. may be omitted, provided such Destination, &c. be referred to as set forth in the original Tailzie.

XI. In all Contracts of Excambion which may be made and executed in virtue of the said recited Act, and in all Deeds of Entail which may be made and executed in virtue of the Twenty-fifth Section of the said recited Act, or of the Ninth Section of this Act, and in all Instruments of Sasine following on such Contracts of Excambion and Deeds of Entail, it shall be competent to omit the Insertion of the Destination, and of the Conditions and Provisions and Clauses, prohibitory, irritant, and resolutive, contained in the original Tailzie, provided such Destination and such Conditions and Provisions and Clauses prohibitory, irritant, and resolutive, shall in such Contracts of Excambion and Deeds of Entail and Instruments of Sasine be specially referred to as being set forth in such original Tailzie, which shall be referred to by its Date and by the Date of recording the same in the Register of Tailzies or in the Books of Council and Session; and the Reference so made to such Destination and to such Conditions and Provisions and Clauses, prohibitory, irritant, and resolutive, shall be equivalent to the full Insertion thereof, and shall in all Questions whether with Third Parties or *inter hæredes*, and to all Intents and Purposes whatever, have the same Force and Effect as if such Destination and such Conditions and Provisions and Clauses, prohibitory, irritant, and resolutive, had been inserted at Length in such Contracts of Excambion and Deeds of Entail and Instruments of Sasine; and that notwithstanding any Provisions contained in an Act of the Parliament of *Scotland*, made in the Year One thousand six hundred and eighty-five, intituled *Act concerning Tailzies*, or any Law or Practice to the contrary now in force.

Where in any Tailzie executed after 1st Aug. 1848 the Maker of the Tailzie declares that 10 G. 3. c. 51. and 5 G. 4. c. 87. are applicable they shall be deemed to be so.

XII. Where in any Tailzie executed after the First Day of *August* One thousand eight hundred and forty-eight, the Maker of such Tailzie has declared or shall declare that an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to encourage the Improvement of Lands, Tenements, and Hereditaments in that Part of* Great Britain *called* Scotland *held under Settlement of strict Entail*, and an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to authorize the Proprietors of entailed Estates in* Scotland *to grant Provisions to the Wives or Husbands and Children of such Proprietors*, or either of the said Acts of Parliament, shall be applicable to such Tailzie, then and in that Case such Act or Acts, as the Case may be, shall be deemed and taken to be

and

and shall be applicable to such Tailzie in like Manner as if such Tailzie had been executed prior to the said First Day of *August* One thousand eight hundred and forty-eight.

Where Tailzie executed after 1st Aug. 1848 does not expressly prohibit the granting of Feus, &c., Heir of Entail in possession may execute Powers of granting Feus, &c.

XIII. Where any Tailzie executed after the First Day of *August* One thousand eight hundred and forty-eight does not expressly prohibit the granting of Feus or Building Leases of the entailed Estate, or any Part thereof, though containing a Prohibition against Alienation and long Leases generally, the Heir of Entail in possession of such entailed Estate for the Time shall have the same Powers of granting Feus and Building Leases for more than Twenty-one Years as are by the said recited Act, or by any other Act of Parliament conferred upon Heirs of Entail in possession of entailed Estates holding the same under Tailzies dated prior to the said First Day of *August* One thousand eight hundred and forty-eight: Provided always, that Application shall be made in the Form prescribed by the said recited Act with reference to Applications authorized to be made under the said Act, for the Authority of the Court of Session to the granting of such Feus or Building Leases; and such Court, having regard to the Interests of the Heirs Substitute of Entail, shall be satisfied that the granting of such Feus or Leases is an Act of beneficial Administration of the entailed Estates

Heirs of Entail in possession entitled to sell Portion of Estates, &c. under 8 & 9 Vict. c. 19. may do so to any Company authorized to acquire the same in consideration of annual Feu Duty, &c.

XIV. It shall be lawful for any Heir of Entail in possession of any entailed Estate in *Scotland* who is or shall be entitled to sell, convey, and dispose of any Portion of such entailed Estate, or any Right or Interest therein under the Powers conferred by "The Lands Clauses Consolidation (*Scotland*) Act, 1845," to sell and convey such Portion of such entailed Estate, or such Right or Interest therein, to the Company who by the said Consolidation Act may be authorized to acquire the same in consideration of an annual Feu Duty or a Ground Annual payable by such Company to such Heir of Entail and his Successors in the Lands, or in the Right or Interest therein so conveyed, and that in the Form prescribed by the said Consolidation Act with respect to Conveyances in Feu by Parties entitled absolutely to grant the same.

Company not to pay, nor Heir of Entail to receive, any Grassum, &c. for any Rights conveyed but annual Feu Duties, &c.

XV. Provided always, That it shall not be lawful for such Company to pay, nor for such Heir of Entail to receive or take, any Grassum, Fine, or Premium, or any Consideration in the Nature thereof, for the Lands or Rights or Interests to be so conveyed, other than the annual Feu Duties or Ground Annuals made payable by such Conveyance, and the Amount of such Feu Duties or Ground Annuals shall, in case of Difference, be ascertained and settled by Valuators in the Manner prescribed by the said Consolidation Act with

with respect to the Valuation of Lands sold by Agreement by Parties under legal Disability or Incapacity to convey.

All Feu Duties, &c. made payable by Company to be a First Charge on the Revenues of Company.

XVI. All Feu Duties or Ground Annuals made payable under any such Conveyance to such Company shall be a First Charge on the Tolls and Rates and other Revenues of such Company, preferable to all Debenture and Bond and Mortgage Debt and other Debt of such Company, anything in any Act of Parliament now in force to the contrary notwithstanding; and if at any Time any such Feu Duties or Ground Annuals remain unpaid for Thirty Days after they respectively became payable, it shall be lawful to the Person entitled for the Time being to Payment of such Feu Duties or Ground Annuals to recover the same from such Company, with Interest and Costs, by Action in the Sheriff Court of the County within which the Lands in respect of which such Feu Duty or Ground Annual is payable are locally situated, or summarily by Poinding and Sale of the Goods and Effects of such Company on Application by Petition to such Sheriff; and such Feu Duty or Ground Annual shall to all Intents and Purposes whatever be deemed and taken to be Part and Portion of the entailed Estate, and subject to the Destination and to all the Conditions, Provisions, and Limitations, and to all the Clauses prohibitory, irritant, and resolutive of the Tailzie under which such Estate is holden.

Affidavit sufficient if stated to the best of Belief.

As to Affidavits not lodged in Time.

XVII. It shall be sufficient, in any Affidavit directed by the said recited Act to be made and produced in any Application thereby authorized, that such Affidavit bear that the Particulars required by the said recited Act to be specified therein are so specified to the best of the Knowledge and Belief of the Maker of such Affidavit; and where such Affidavit has not been or shall not be made and lodged at the Outset of the Proceedings under such Application, the Court shall direct such Omission to be supplied, and shall, on such Omission being supplied, proceed as if such Affidavit had been timeously given in.

Provision as to Consents for Minors and Incapacitated Persons.

XVIII. Every Consent which, on the Behalf of any Heir of Entail being under Age, or subject to any legal Incapacity, whose Consent has been or is or shall be required under the said recited Act, has been or shall be given by any Tutor or Curator or other legal Guardian duly authorized to consent in Terms of the said recited Act on the Behalf of such Heir of Entail, shall be deemed and taken to be and shall be valid and sufficient, except in any Case of Application for disentailing, without the Concurrence of such Heir of Entail, and without any Consent to or Approval of the Actings of such Tutor or Curator or other legal Guardian, by such Heir of Entail;

 but

but the Consent of such Curator or other Guardian on behalf of such Heir of Entail, in Terms of the said recited Act, shall not in any future Application under the said recited Act or this Act, or in any Application under the said recited Act not yet finally disposed of (unless in any Case in the Circumstances of which the Court shall be of opinion that the Consent of the Tutor, Curator, or other legal Guardian alone is sufficient), be received or acted on where such Heir of Entail, being of sound Mind, and above the Age of Fourteen Years, shall, in the course of the Application wherein such Consent may be tendered, enter Appearance and oppose the Reception of such Consent, which such Heir of Entail is hereby authorized to do.

Rights of Heir of Entail obtaining Consents and presenting Application not to be affected by Alteration of Circumstances afterwards occurring.

XIX. The Date of presenting any Application under the said recited Act or under this Act shall be held to be the Day on which the First Interlocutor under such Application has been or shall be pronounced, and no Alteration of Circumstances which has occurred or which shall occur subsequent both to the Date of presenting such Application and to the last Date of the Consents required to the same, whether by the Birth of any intervening Heir or by the Death of any Granter of such Consent, or otherwise, except as herein-before specially provided, shall be deemed to have or shall have any Effect upon the Rights of the Party who shall present or who has presented such Application, or shall affect the Procedure taken therein.

Heirs of Entail not to give Consents where opposed by Heritable Creditors.

XX. Where any Heir of Entail called to the Succession of an entailed Estate by any Tailzie dated prior to the First Day of *August* One thousand eight hundred and forty-eight shall previous to the passing of the said recited Act have granted any Bond of Annuity or other Deed disponing or bearing to dispone, or containing Obligation to dispone, such Estate or any Portion thereof in Security, such Heir of Entail shall not be entitled to give Consent to any Application under the said recited Act or this Act which shall be opposed by any Creditor in such Bond of Annuity or other Deed as aforesaid, and who shall either hold Infeftment in such Entailed Estate, duly recorded, or shall enter Appearance and prove his Debt or Claim in the course of the Proceedings under such Application: Provided always, that it shall be competent to the Court, if, with reference to any Offer of adequate Security, or otherwise in the Circumstances, it shall deem the Opposition on the Part of such Creditor to be unreasonable, to disallow the same, and to give Effect to the Consent of such Heir.

Heir Apparent of Entail not to

XXI. Where any Heir Apparent of an Entailed Estate under a Tailzie dated prior to the said First Day of *August* One thousand eight

eight hundred and forty-eight shall, subsequent to the passing of the said recited Act, have granted any Bond of Annuity or other Deed disponing or bearing to dispone, or containing Obligation to dispone such Estate, or any Portion thereof, in Security, such Heir Apparent shall not be entitled to give Consent to any Application, under the said recited Act or this Act, except under the like Circumstances as would have enabled him to give Consent, and to have his Consent allowed, had such Bond of Annuity or other Deed been granted previously to the passing of the said recited Act; but the Consents of the other Heirs Substitute shall be given and allowed independently of the Rights of any such Creditors.

give Consent in opposition to such Creditors.

XXII. Where any Heir of Entail in possession of an entailed Estate under an Entail created before the passing of the said Act shall have lawfully propelled or shall hereafter lawfully propel such Estate, under Reservation of his own Liferent, to the Heir entitled to succeed him therein, any Application which has been or shall be made by him under the recited Act or under this Act, and all Procedure following thereon, shall be equally effectual in all respects as if he had not propelled the Succession, provided the Consents of the Persons whose Consents would have been required to such Application if he had not propelled the Succession as aforesaid be obtained thereto.

Propelling of Succession, under Reservation of Liferent, to have no Effect upon Applications under this or the recited Act.

XXIII. Every Bond and Disposition in Security hereafter to be granted under the said recited Act or under this Act may, in the Option of the Party upon whose Application to the Court the same shall be executed, contain a Power of Sale in ordinary Form.

Bonds and Dispositions in Security may contain Power of Sale.

XXIV. Every Judgment and Decree pronounced, and that shall be pronounced upon any Application under the said recited Act or under this Act, where such Judgment or Decree has not been or shall not be brought under Review of the House of Lords by Appeal, or brought under Reduction upon any relevant Ground during the Period within which such Judgment or Decree might have been appealed from, shall, as regards Third Parties acting *bonâ fide* on the Faith thereof, be no longer reducible on any Ground of Irregularity or Noncompliance with the Provisions of the said recited Act or of this Act, but in respect of any such Ground of Challenge be final and conclusive; and the Period during which Challenge or Appeal is competent, under the said recited Act or under this Act, of any such Judgment or Decree, or of any Instrument of Disentail, or other Deed executed in virtue of such Judgment or Decree, shall not be extended in respect of the Minority or Want of Capacity to act of any Person or Persons whatever.

Judgments and Decrees to be final.

XXV. The

Entails (Scotland).

Interpretation of Terms.

XXV. The following Words occurring in this Act shall, except where the Nature of the Provision shall be repugnant to such Construction, be construed as follows; that is to say, the Words "Court of Session," or "the Court," shall be construed to mean either Division of the Court of Session; the Words "Heir of Entail" shall include "Institute;" the Word "Lands" shall extend to and comprehend all Heritages; and the Words "Entailed Estate" shall extend to and comprehend all Heritages which by the Law of *Scotland* may be made the Subject of Entail.

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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Government of India.

Until Parliament shall otherwise provide, the British Territories in India to be continued under the Government of the Company, subject to the Provisions of this Act.

I. Until Parliament shall otherwise provide, all the Territories now in the Possession and under the Government of the *East India* Company shall continue under such Government in trust for Her Majesty, Her Heirs and Successors, with and under the Powers and Restrictions, and subject to the Superintendence, Direction, and Control now by Law applicable to such Government, and subject also to the Provisions of this Act; and all the Provisions now in force of the said Act of the Third and Fourth Years of King *William* the Fourth, and all other Enactments whatsoever now in force with relation to the said Company and Government and Territories respectively, shall, save so far as the same are altered by or are repugnant to this Act, continue in force after the said Thirtieth Day of *April* One thousand eight hundred and fifty-four, as if the said Term had not expired; and no Appointments, Arrangements, or Acts made or done under the Provisions and Enactments hereby continued, shall, by reason only of the Expiration of the said Term, cease or be affected.

After the Second Wednesday in April 1854, there shall be Eighteen Directors of the Company.

II. From and after the Second *Wednesday* in the Month of *April* One thousand eight hundred and fifty-four there shall be Eighteen Directors and no more of the said Company, to be from Time to Time appointed and elected as herein-after mentioned; and such Directors, or any Ten or more of them, shall be and shall be called a Court of Directors, and such Directors and Court of Directors respectively shall have the same Powers and Privileges as the Directors and Court of Directors of the said Company now have, save so far as such Powers and Privileges are altered by this Act; and in every Case where the Presence, Signature, Consent, or Concurrence of Thirteen Directors of the said Company, or of any greater Number of such Directors, is now requisite, the Presence, Signature, Consent, or Concurrence (as the Case may be) of Ten Directors under this Act, shall be sufficient; and in all Despatches and written Documents proceeding from the said Court of Directors the Signatures of the Chairman and Deputy Chairman and of the Senior Member of the said Court, or of any Two of them, countersigned by the Secretary or Deputy Secretary for the Time being of the said Company, shall be sufficient in lieu of the Signatures of the Majority of the said Directors.

Her Majesty to appoint Three of the first Directors for Two, Four, and Six Years.

III. It shall be lawful for Her Majesty, by Warrant under the Royal Sign Manual, at any Time before the said Second *Wednesday* in *April* One thousand eight hundred and fifty-four, to appoint Three Persons to be, from the said Second *Wednesday* in *April* One thousand eight hundred and fifty-four, Directors of the said Company, under this Act, and One of such Persons shall be appointed to be a Director for the Term of Two Years, One other for the Term of Four Years, and

and One other for the Term of Six Years; and every Director to be so appointed, and every other Director to be appointed by Her Majesty under the Provisions herein contained, shall be a Person who shall have been for Ten Years at the least in the Service of the Crown in *India*, or in the Service of the said Company there.

Directors appointed by Her Majesty to be Person who shall have served Ten Years in India.

IV. On the Second *Wednesday* in the Month of *March* One thousand eight hundred and fifty-four the present Directors of the said Company, or such of them as may then remain in Office, and the Persons, or Survivors of the Persons, heretofore Directors of the said Company, who in the Month of *April* One thousand eight hundred and fifty-three ceased to be such Directors by the Expiration of the Term for which they were elected, or the major Part of the said Directors and Persons, shall, from among the said Directors and Persons heretofore Directors as aforesaid, appoint Fifteen Persons to be, with the Three Persons to be appointed by Her Majesty, the first Directors of the said Company under this Act from the said Second *Wednesday* in *April* One thousand eight hundred and fifty-four; and of such Fifteen Persons Five shall be appointed for the Term of Two Years, Five others for the Term of Four Years, and the remaining Five for the Term of Six Years; and for the Purposes of such Appointment as aforesaid, as well the said Persons heretofore Directors, as the said present Directors remaining in Office, shall meet and act together as a Court of Directors of the said Company on the said Second *Wednesday* in *March*, and the Names of the Directors who shall be appointed at such Court, together with the respective Terms for which they are appointed, shall be certified to the Board of Commissioners for the Affairs of *India*, under the Seal of the said Company.

The present Directors and the Directors out by Rotation, to appoint from their own Body Fifteen of the first Directors under this Act, Five for Two Years, Five for Four Years, and Five for Six Years.

V. To the Intent that the Number of the Directors of the said Company to be appointed by Her Majesty under this Act be increased to Six, and the Number of other Directors reduced to Twelve, it shall be lawful for Her Majesty, upon the First, Second, and Third Vacancy respectively among the Directors under this Act not appointed by Her Majesty which may happen otherwise than by the Expiration of the Term of Years for which a Director may have been appointed or elected, to appoint by Warrant as aforesaid a Person to be a Director of the said Company to fill each of such Vacancies.

Upon the happening of casual Vacancies, Number of Directors appointed by the Crown to be increased to Six, those not so appointed to be reduced to Twelve.

VI. Every Vacancy happening from Time to Time in the Office of any Director who shall have been appointed by Her Majesty under any Provision herein contained shall be filled up by Her Majesty by Warrant under the Royal Sign Manual; and, subject to the Provisions herein contained for increasing the Number of Directors to be appointed by Her Majesty, every Vacancy among the Directors not appointed by Her Majesty shall be filled up by Election by the General

Vacancies among Directors how to be filled up.

General Court of the said Company, in the Manner in which Directors are now elected.

Ordinary Term of Office of Directors to be Six Years, and Directors re-eligible.

VII. Every Director appointed by Her Majesty or elected by the said General Court to fill a Vacancy occasioned by the Expiration of the Term of Office of a Director shall be appointed or elected for the Term of Six Years; and every Director appointed by Her Majesty or elected by the said General Court to supply the Place of any Director whose Office shall have become void otherwise than by the Expiration of his Term of Office, shall be appointed or elected for the Remainder of the Term of Office of such last-mentioned Director; and every Person who shall, or but for Re-appointment or Re-election would, cease to be a Director by the Expiration of his Term of Office, shall be capable of being forthwith re-appointed or of being re-elected at the Election holden on the Day of the Expiration of such Term.

Term of Office of Directors to expire, and biennial Elections to be holden on the Second Wednesday in April.

VIII. The Terms of Two Years, Four Years, and Six Years respectively, for which the Directors first appointed under this Act shall be appointed, shall be taken to expire at the End of the Day on the Second *Wednesday* in the Month of *April* in the Second, Fourth, and Sixth Years respectively after the Year One thousand eight hundred and fifty-four, and the Term of Office of every Person appointed or elected to supply a Vacancy upon the Expiration of any Term shall be taken to expire at the End of the Day on the Second *Wednesday* in *April* in the Sixth following Year; and it shall be lawful for Her Majesty from Time to Time, upon or after the Expiration of the Term of Office of any Director or Directors appointed by Her Majesty by Warrant under the Royal Sign Manual, to appoint or re-appoint a Person or Persons to fill such Vacancy or Vacancies; and biennial Elections shall be holden on the Second *Wednesday* of the Month of *April* in the Year One thousand eight hundred and fifty-six, and in every alternate Year, for filling up such Vacancies among the Directors by the Expiration of any Term of Office as the General Courts of the said Company may be authorized to fill up, and all the Provisions applicable to the General Annual and other Elections of Directors by the said General Court shall be applicable to the biennial and other Elections of Directors by such General Court under this Act, so far as Circumstances will admit.

Six of the Directors not appointed by the Crown to be Persons who shall

IX. Of the Fifteen Directors first appointed under this Act by the present Directors and Persons heretofore Directors of the said Company, Six shall be Persons who shall have resided for Ten Years at the least in *India;* and all such Vacancies happening from Time to

to Time in the Offices of any of the Six Directors so qualified as the General Court may be authorized to fill up shall be filled up by Persons qualified in like Manner; and in case by the Vacancies among the Directors not appointed by Her Majesty, which Her Majesty is authorized to fill up, or any of such Vacancies, the Number of Directors so qualified as aforesaid (exclusive of those appointed by Her Majesty) be reduced below Six, every Person thereafter elected by the General Court to be a Director upon any Vacancy, except any of the Directors first appointed under this Act who may be elected at the Expiration of their Term of Office, shall be a Person qualified in like Manner until the Number of Directors so qualified, exclusive of those appointed by the Crown, be restored to Six, and every casual Vacancy thenceforth happening among such Six Directors so qualified shall be filled up by the Election of a Person qualified in like Manner; and when at the Time of any biennial Election thereafter of Directors by the General Court the Number of the Directors for the Time being who shall have resided for such Time in *India*, exclusive of any such Directors whose Term of Office may expire with the Day of the Election, and of the Directors appointed by the Crown, is less than Six, the Directors to be then elected, or so many of such Directors as may be necessary for making up the Number of Directors who shall have resided for such Time in *India* to Six, shall be a Person or Persons who shall have resided for such Time in *India*.

have served Ten Years in India.

X. Notwithstanding the Provision of the Charter of the Tenth Year of King *William* the Third, any Person shall be deemed, so far as respects the Possession of Stock of the said Company, to be qualified to be chosen or appointed and to continue a Director of the said Company, under this Act, who shall have in his own Name and in his own Right and to his own Use One thousand Pounds or more in the Capital Stock of the said Company; and all Enactments and all Provisions of any Charter or Byelaw having reference to the Qualification of a Director shall be construed as if the said Sum of One thousand Pounds were substituted therein, and in the said Charter of King *William* the Third, for the Sum of Two thousand Pounds; and in the Case of any such Director appointed by Her Majesty, it shall be sufficient if, before he shall act as such Director, he shall have such Qualification in the said Capital Stock as is required under this Act, although he may not have the same at the Time of his Appointment; and every Person who shall be hereafter elected or appointed a Director of the said Company shall, before he shall act as such Director, make the following Declaration:

Qualification of a Director as respects the Possession of East Indian Stock;

1,000*l.* to be a Qualification.

Director before acting to make a Declaration.

'I *A.B.* do declare, That the Sum of One thousand Pounds now
' standing in my Name of the Stock of the East India Company

 ' belongs

'belongs to me in my own Right and not in trust for any other 'Person or Persons whatsoever.'

Directors appointed by Her Majesty may sit in Parliament.

XI. No Person appointed by Her Majesty to be a Director under this Act shall, by reason of such Appointment, be incapable of being elected, or sitting or voting in Parliament; and no such Director so appointed shall be subject to be removed by the General Court of the said Company; but it shall be lawful for Her Majesty, if She shall think fit, to remove any such Director for Inability or Misbehaviour.

The Authority of the present Directors to cease on the Second Wednesday of April 1854.

XII. From and after the Second *Wednesday* of the said Month of *April* One thousand eight hundred and fifty-four, all such of the present Directors of the said Company as shall not have been appointed to be Directors under this Act shall cease to be Directors of such Company; and no Vacancy which shall happen in the meantime in the Office of any of the said present Directors shall be filled up; and, notwithstanding any such Vacancies, such of the said present Directors as for the Time being may remain in Office, or the Majority of them, shall, until the Commencement of the Term of Office of the first Directors under this Act, have and exercise all the Powers by Law vested in the Directors of the said Company; and in every Case where the Presence, Signatures, Consent, or Concurrence of Thirteen Directors of the said Company or of any greater Number of such Directors is now requisite, the Presence, Signature, Consent, or Concurrence (as the Case may be) of the Majority of such of the said Directors as for the Time being may remain in Office shall be sufficient.

Directors before acting to take the Oath herein named.

XIII. Every Person who shall hereafter be appointed or elected a Director of the said Company shall, before he shall act in that Office, take the following Oath, instead of the Oath now appointed to be taken by a Director; that is to say,

'I *A.B.* do swear, That I will be faithful to Her Majesty Queen 'Victoria, and will to the best of my Ability perform the Duty 'assigned to me as a Director of the East India Company in the 'Administration of the Government of India in trust for the 'Crown. So help me GOD.'

Quorum of General Courts of the Company.

XIV. If at any General Court of the said Company, after the Transaction of such Business as by any Act of Parliament or any Byelaw of the said Company may be required to be transacted at such Court, the Number of Proprietors assembled and qualified to vote, exclusively of any Directors then present, shall not amount to Twenty, it shall be lawful for the Chairman of the said Court, and he is hereby required, upon the Fact of the Number of Proprietors

prietors so assembled not amounting to Twenty being brought to his Notice, to declare the Court adjourned without putting the Question.

XV. The Provisions of the said Act of the Third and Fourth Years of King *William* the Fourth, relating to the Division of the Presidency of *Fort William* in *Bengal* into Two Presidencies, and to the Measures consequent thereupon, which have been suspended under the Authority of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Fifty-two, shall remain suspended until the Court of Directors, under the Direction and Control of the Board of Commissioners for the Affairs of *India*, shall otherwise direct; and during the Continuance of such Suspension the Provisions of such last-mentioned Act, authorizing the Appointment of a Lieutenant Governor for the North-western Provinces, then under the Government of the Presidency of *Fort William* in *Bengal*, and the Appointments and Arrangements made thereunder, shall remain in full Force.

The Provisions of 3 & 4 W. 4. c. 85. for creating a Presidency of Agra, which has been suspended by 5 & 6 W. 4. c. 52., to remain so until the same be revoked.

XVI. It shall be lawful for the said Court of Directors, under such Direction and Control as aforesaid, if and when they think fit, at any Time after the passing of this Act, to declare that the Governor General of *India* shall not be Governor of the Presidency of *Fort William* in *Bengal*, but that a separate Governor shall be appointed for such Presidency, and in such Case a separate Governor shall be from Time to Time appointed for such Presidency accordingly, in manner provided by the said Act of the Third and Fourth Years of King *William* the Fourth, in the Case of Vacancies happening in the Offices of the Governors of the Presidencies of *Fort Saint George* and *Bombay*; and from and after the Appointment of such Governor, the Power by the said Act vested in the Governor General of *India* of appointing a Deputy Governor of the said Presidency of *Fort William* in *Bengal* shall cease; and unless and until a separate Governor of such Presidency shall be constituted as aforesaid, it shall be lawful for the Court of Directors, under such Direction and Control as aforesaid, if and when they think fit, at any Time after the passing of this Act, to authorize and direct the Governor General of *India* in Council to appoint from Time to Time any Servant of the said Company who shall have been Ten Years in their Service in *India* to the Office of Lieutenant Governor of such Part of the Territories under the Presidency of *Fort William* in *Bengal* as for the Time being may not be under the Lieutenant Governor of the said North-western Provinces, and to declare and limit the Extent of the Authority of the Lieutenant Governor to be so appointed.

A separate Governor may be appointed for the Presidency of Bengal;

in the meantime a Lieutenant Governor may be appointed.

XVII. It

Power to Directors to create One new Presidency or to authorize Governor General to appoint a new Lieutenant Governorship.

XVII. It shall be lawful for the Court of Directors of the said Company, under such Direction and Control, if and when they think fit, to constitute One new Presidency within the Territories subject for the Time being to the Government of the said Company, and to declare and appoint what Part of such Territories shall be subject to the Government of such new Presidency; and unless and until such new Presidency be constituted as aforesaid, it shall be lawful for the said Court of Directors, under such Direction and Control as aforesaid, if and when they think fit, to authorize (in addition to such Appointments as are herein-before authorized to be continued and made for the Territories now and heretofore under the said Presidency of *Fort William*) the Appointment by the said Governor General in Council of a Lieutenant Governor for any Part of the Territories for the Time being subject to the Government of the said Company, and to declare for what Part of the said Territories such Lieutenant Governor shall be appointed, and the Extent of his Authority, and from Time to Time to revoke or alter any such Declaration.

Power to alter from Time to Time the Limits of Presidencies and Lieutenant Governorships.

XVIII. It shall be lawful for the said Court of Directors, under such Direction and Control as aforesaid, from Time to Time to declare and appoint what Part or Parts of the Territories for the Time being subject to the Government of the said Company shall be or continue subject to each of the Presidencies and Lieutenant Governorships for the Time being subsisting in such Territories, and to make such Distribution and Arrangement or new Distribution and Arrangement of such Territories into or among such Presidencies and Lieutenant Governorships as to the said Court of Directors, under such Direction and Control as aforesaid, may seem expedient.

s as to ing Pre- cies to d to Presi- es.

Years of King *William* the Fourth, as amended by this Act, and all other Provisions now in force for the Administration of the Executive Government of the Presidencies of *Fort Saint George* and *Bombay* respectively, and authorizing the Revocation and Suspension of the Appointment of Councils and the Reduction of the Number of Councillors in such Presidencies respectively, and as to the Powers, Duties, Functions, and Immunities of the Governors of such Presidencies respectively, and of such Governors in their respective Councils, and concerning or applicable to the Appointment and provisional Appointment of Governors and Members of Council of the said Presidencies respectively on Vacancies, and otherwise providing for Vacancies in the Office of any such Governor, and concerning the Removal and Dismissal of such Governors and Members of Council, and the Revocation of Appointments and provisional Appointments of Governors and

and Members of Council of such Presidencies, and concerning the Salaries and Emoluments of such Governors and Members of Council, shall extend and be applicable in like Manner to and in the Case of any new Presidency to be established as aforesaid under this Act, and also to and in the Case of the Presidency of *Agra*, in case the same be constituted under the Provisions of the said Act of the Third and Fourth Years of King *William* the Fourth; and the said Provisions concerning Appointments of Governors and Members of Council on Vacancies, as amended by this Act, shall extend and be applicable to and for the first Appointment of a Governor and Members of Council of such new Presidency and the Presidency of *Agra* aforesaid.

All Appointments of Members of Council to be subject to the Approbation of Her Majesty.

XX. Every Appointment by the Court of Directors of any ordinary Member of the Council of *India*, or of any Member of the Council of any Presidency in *India*, shall be subject to the Approbation of Her Majesty, to be signified under Her Royal Sign Manual, countersigned by the President of the Board of Commissioners for the Affairs of *India*.

Provision of 3 & 4 W. 4. c. 85. excluding the Fourth ordinary Member of Council from certain Meetings repealed.

XXI. So much of the said Act of the Third and Fourth Years of King *William* the Fourth as provides that the Fourth ordinary Member of the Council of *India* shall not be entitled to sit or vote in the said Council, except at Meetings thereof for making Laws and Regulations, shall be repealed.

Legislative Councillors added to the Council of India for making Laws and Regulations.

XXII. For the better Exercise of the Powers of making Laws and Regulations, now vested in the Governor General of *India* in Council, the several Persons herein-after mentioned shall, in addition to and together with such Governor General and the Members of the said Council, under the said Act of the Third and Fourth Years of King *William* the Fourth, be Members of the said Council of *India* for and in relation to the Exercise of all such Powers of making Laws and Regulations as aforesaid, and shall be distinguished as Legislative Councillors thereof; (that is to say,)

One Member for each Presidency and Lieutenant Governorship for the Time being established in the said Territories, to be appointed from Time to Time by the Governor of such Presidency and the Lieutenant Governor of such Lieutenant Governorship respectively, from among the Persons having been or being at the Time of their Appointment in the Civil Service of such Company within such Presidency or Lieutenant Governorship, and who shall have been Ten Years in the Service of the said Company:

The Chief Justice of the Supreme Court of Judicature at *Fort William* in *Bengal*, or the Chief Justice or Chief Judge of any Court of Judicature hereafter to be constituted in the said Terri-

tories to or in which the Powers of such Supreme Court may be transferred or vested:

One of the other Judges of such Supreme Court, or One of the Judges appointed by Her Majesty of any such future Court as aforesaid, to be named by the said Governor General:

And it shall be lawful for the Court of Directors, if they think it expedient, under the Direction and Control of the Board of Commissioners for the Affairs of *India*, to authorize and direct the Governor General of *India* to appoint from Time to Time, in addition to such Legislative Councillors as aforesaid, Two Persons, to be selected by the said Governor General, having been Ten Years in the Service of the Company, to be Legislative Councillors of the said Council under this Act: Provided always, that the Legislative Councillors added to the Council of *India* by or under this Act shall not be entitled to sit or vote in the said Council, except at Meetings thereof for making Laws and Regulations.

Legislative Councillors to vote only at Meetings for making Laws and Regulations.

Appointment of a Vice President of Council to preside at Meetings in Absence of Governor General; Quorum for Legislative Business.

XXIII. It shall be lawful for such Governor General to appoint any Member of the said Council to be Vice President thereof at Meetings of the said Council for making Laws and Regulations, who shall preside therein at such Meetings in the Absence of such Governor General, and in the Absence of such Vice President the senior ordinary Member of the Council of *India* there present shall preside therein; and the Powers of making Laws or Regulations vested in the said Governor General in Council shall be exercised only at Meetings of the said Council, at which such Governor General or Vice President or some ordinary Member of Council, and Six or more Members of the said Council, shall be assembled, the Chief Justice or Chief Judge, or such other Judge of the Supreme Court or such other Court as aforesaid, or the Fourth ordinary Member of the said Council of *India*, being One; and in every Case of Difference of Opinion at Meetings of the said Council for making Laws and Regulations, where there shall be an Equality of Voices, the Governor General, or in his Absence the Vice President, and in the Absence of the Governor General and Vice President such senior ordinary Member of Council there present and presiding, shall have Two Votes or the Casting Vote.

Governor General's Assent to be requisite to the Validity of Laws.

XXIV. Provided always, That no Law or Regulation made by the said Council shall have Force or be promulgated until the same has been assented to by the said Governor General, whether he shall or shall not have been present in Council at the making thereof.

Time for Meeting of Council with

XXV. Provided also, That the said Governor General shall by Proclamation appoint a Time, not being later than Six Months from the

the Commencement of this Act, for the First Meeting of the said Council of *India* for making Laws and Regulations under this Act, and summon thereto as well the Legislative Councillors appointed by and under this Act as the other Members of such Council; and until such First Meeting the Powers now vested in the said Governor General of *India* in Council of making Laws and Regulations shall and may be exercised in like Manner and by the same Members as before the passing of this Act.

new Legislative Councillors to be fixed by Governor General by Proclamation.

XXVI. No Law or Regulation made by the Governor General in Council shall be invalid by reason only that the same affects any Prerogative of the Crown, provided such Law or Regulation shall have received the previous Sanction of the Crown, signified under the Royal Sign Manual of Her Majesty, countersigned by the President of the Board of Commissioners for the Affairs of *India*.

No Law or Regulation of Governor General in Council invalid by reason of the same affecting an Prerogative of the Crown.

XXVII. All Fines and Penalties incurred by the Sentence or Order of any Court of Justice within the Territories under the Government of the *East India* Company, and all Forfeitures for Crimes of any Real or Personal Estate within the said Territories, and all Real and Personal Estate within the said Territories escheating or lapsing for Want of an Heir or Successor, and all Property within the said Territories devolving as *Bona vacantia* for Want of a rightful Owner, shall (as Part of the Revenues of *India*) belong to the *East India* Company in trust for Her Majesty for the Service of the Government of *India*: Provided also, that the Governor General in Council, and any other Person or Persons who may be authorized by any Act passed in that Behalf by the Governor General in Council, shall have Power (in Cases where the same may appear suitable and proper) to make any Grant or Disposition of any Property so accruing by Forfeiture, Escheat, or otherwise to or in favour of any Relative or Connexion of the Person from whom the same shall have accrued, or to or in favour of any other Person or Persons.

All Fines, Penalties, &c. to belong to the East India Company.

XXVIII. And whereas by the said Act of the Third and Fourth Years of King *William* the Fourth it was provided, that Commissioners to be appointed thereunder, and to be styled the *Indian* Law Commissioners, should inquire into the Jurisdiction, Powers, and Rules of the existing Courts of Justice and Police Establishments in the said Territories, and all existing Forms of Judicial Procedure, and into the Nature and Operation of all Laws, whether Civil or Criminal, written or customary, prevailing and in force in any Part of the said Territories, and should from Time to Time make Reports, in which they should fully set forth the Result of their Inquiries, and should

Recital of Provisions of 3 & 4 W. 4. c. 85. as to Appointment of Indian Law Commissioners.

should from Time to Time suggest such Alterations as might in their Opinion be beneficially made in the said Courts of Justice and Police Establishments, Forms of Judicial Procedure, and Laws, due Regard being had to the Distinction of Castes, Difference of Religion, and the Manners and Opinions prevailing among different Races and in different Parts of the said Territories: And whereas the *Indian* Law Commissioners from Time to Time appointed under the said Act have, in a Series of Reports, recommended extensive Alterations in the Judicial Establishments, Judicial Procedure, and Laws established and in force in *India*, and have set forth in detail the Provisions which they have proposed to be established by Law for giving effect to certain of their Recommendations, and such Reports have been transmitted from Time to Time to the said Court of Directors; but on the greater Part of such Reports and Recommendations no final Decision has been had:

Her Majesty may appoint Commissioners in England to consider and report on the Reforms proposed by the Indian Law Commissioners.

It shall be lawful for Her Majesty, at any Time after the passing of this Act, by Commission under the Royal Sign Manual, to appoint such and so many Persons in *England* as to Her Majesty may seem fit to examine and consider the Recommendations of the said *Indian* Law Commissioners, and the Enactments proposed by them for the Reform of the Judicial Establishments, Judicial Procedure, and Laws of *India*, and such other Matters in relation to the Reform of the said Judicial Establishments, Judicial Procedure, and Laws, as may, by or with the Sanction of the Commissioners for the Affairs of *India*, be referred to them for their Consideration, and to authorize and direct the Persons so appointed, or such Number as may be limited by their Commission in this Behalf, to report their Opinion to Her Majesty on the Matters aforesaid, and especially to report from Time to Time what Laws or Regulations should be made or enacted in relation to the Matters aforesaid, but so that every such Report be made within Three Years after the passing of this Act; and for the Purposes of such Examination it shall be lawful for Her Majesty to authorize the Persons so appointed, or the Number limited by the Commission in this Behalf, to call before them and examine in *England* such Persons in the Service of the Crown and the said Company respectively, and to require the Production of such official Documents in the Possession of the Board of Commissioners for the Affairs of *India*, or of the said Company, as they may think fit.

Advocate General to be approved by Board of Control.

XXIX. No Appointment of any Advocate General of the said Company shall be valid without the Approbation of the Board of Commissioners for the Affairs of *India*.

Commander-in-Chief of Her Ma-

XXX. Any Person who shall be hereafter appointed by Her Majesty to be the Commander-in-Chief of Her Forces in *India* shall by

by virtue of such Appointment be also the Commander-in-Chief of all the Company's Forces in *India*, and any Person who shall be hereafter appointed by Her Majesty to be the Commander-in-Chief of Her Forces in any Presidency in *India* shall by virtue of such Appointment be also the Commander-in-Chief of the Company's Forces in such Presidency.

jesty's Forces to be Commander-in-Chief of the Company's Forces.

XXXI. So much of the Act of the Twenty-eighth Year of King *George* the Third, Chapter Eight, as limits the Numbers of the *European* Forces of the said Company to Twelve thousand two hundred Men, and so much of the Act of the Thirty-ninth Year of King *George* the Third, Chapter One hundred and nine, as limits the Number of Non-commissioned Officers and Private Men which the said Company are authorized to enlist and have in Pay at any One Time, or to train or discipline at any One Time, in *Great Britain* and the Islands of *Guernsey* and *Jersey*, by virtue of that Act, to Two thousand Men, shall, from the passing of this Act, be repealed; and it shall be lawful for the Board of Commissioners for the Affairs of *India*, at any Time after the passing of this Act, and from Time to Time, to give or approve such Directions as they may think fit for raising and maintaining out of the Revenues arising from the said Territories such Number of *European* Forces as they may judge necessary, so that the Number of *European* Forces of the said Company at any One Time do not amount in the whole to more than Twenty thousand Men, including the Commissioned and Non-commissioned Officers; and it shall be lawful for the said Company to enlist and have in Pay and train and discipline under the said last-mentioned Act any Number of Non-commissioned Officers and Private Men not exceeding at any One Time Four thousand.

Limit of European Troops of the Company and of their Troops in training at home extended.

XXXII. Nothing in any Enactment now in force, or any Charter, relating to the said Company, shall be taken to prevent the Establishment, by the Court of Directors (under the Direction and Control of the said Board of Commissioners), at any Time after the passing of this Act, and from Time to Time, of any Regulations which they may deem expedient in relation to the Absence on Sick Leave or Furlough of all or any Officers and Persons in the Service of the said Company in *India*, or receiving Salaries from the said Company there, under which they respectively may be authorized to repair to and reside in *Europe* or elsewhere out of the Limits of the said Company's Charter, without Forfeiture of Pay or Salary, during the Times and under the Circumstances during and under which they may now be permitted (while absent from their Duty) to reside in Places out of *India* within the Limits of the said Company's Charter, or during such Times and under such Circumstances as by such Regulations may be permitted.

Sick Leave or Furlough Regulations may be extended as to Residence out of the Limits of the Company's Charter.

Salary of President of Board of Control.

XXXIII. And whereas by the said Act of the Third and Fourth Years of King *William* the Fourth it is enacted, that the President of the Board of Commissioners for the Affairs of *India*, but no other Commissioner, as such, and the Secretaries and other Officers, shall be paid by the said Company such fixed Salaries as His Majesty shall, by any Warrant or Warrants under his Sign Manual, countersigned by the Chancellor of the Exchequer for the Time being, direct: Be it enacted, That such fixed Salary of the said President of the Board of Commissioners shall in no Case be less than the Salary which shall be paid to One of Her Majesty's Principal Secretaries of State; and that only One of the said Secretaries to the said Board shall be capable of being elected or sitting and voting in Parliament.

Yearly Allowances to Chairman, Deputy Chairman, and Directors, instead of those now payable under Byelaws.

XXXIV. Instead of the yearly Sums allowed under the Byelaws of the said Company to the Chairman, Deputy Chairman, and other Directors, for their Attendance upon the Business of the said Company, there shall be allowed to the Chairman, Deputy Chairman, and Directors, under this Act, the yearly Sums following; (that is to say,) to the Chairman One thousand Pounds a Year, to the Deputy Chairman One thousand Pounds a Year, and to every other Director Five hundred Pounds a Year.

Salaries.

XXXV. There shall be paid to the several Officers herein-after named the several annual Salaries set against the Names of such Officers respectively, subject to such Reduction as the Court of Directors, with the Sanction of the said Board, may from Time to Time think fit; (that is to say,)

To the Commander-in-Chief of the Forces in *India*, One hundred thousand Company's Rupees, in lieu of all other Pay and Allowances:

To each Lieutenant Governor, One hundred thousand Company's Rupees:

To each ordinary Member of the Council of *India*, Eighty thousand Company's Rupees:

To each Legislative Councillor of the Council of *India* (not holding any other Office), Fifty thousand Company's Rupees:

The several Salaries aforesaid to be subject to the Provisions and Regulations of the said Act of the Third and Fourth Years of King *William* the Fourth, concerning the Salaries thereby appointed: Provided always, that the Salary of any such Officer appointed before the passing of this Act shall not under this Enactment be reduced.

Provisions of 53 G. 3. c. 155. and 3 & 4 W. 4. c. 85. re-

XXXVI. The Provisions herein-after mentioned, respecting the Appointment of Persons to the Civil Service of the said Company, and the Admission of Students into the College of the said Company at

at *Haileybury*, (that is to say,) Section Forty-six of the Act of the Fifty-third Year of King *George* the Third, Chapter One hundred and fifty-five, and Sections One hundred and three, One hundred and four, One hundred and five, One hundred and six, and One hundred and seven of the said Act of the Third and Fourth Years of King *William* the Fourth, shall be repealed, and all Powers, Rights, or Privileges of the Court of Directors of the said Company to nominate or appoint Persons to be admitted as Students or Candidates for such Admission, or as Assistant Surgeons in the Forces of the said Company, shall cease as regards all Vacancies which shall occur on or after the Thirtieth Day of *April* One thousand eight hundred and fifty-four.

pealed, and existing Rights of Patronage of Appointments to cease.

XXXVII. Subject to such Regulations as may be made by the Board of Commissioners for the Affairs of *India*, any Person being a natural-born Subject of Her Majesty who may be desirous of being admitted into the said College at *Haileybury*, or of being appointed an Assistant Surgeon in the said Company's Forces, shall be admitted to be examined as a Candidate for such Admission or Appointment respectively.

Persons desirous of being admitted to Haileybury, or appointed Assistant Surgeons, to be admitted for Examination.

XXXVIII. It shall be lawful for the said Board of Commissioners at any Time after the passing of this Act, and from Time to Time, to frame and make Regulations not inconsistent with the Provisions of this Act concerning such Examinations, Admissions, and Appointments, and concerning the Examination of Persons to be admitted as Students into the Military Seminary of the said Company at *Addiscombe*, and for such other Purposes as herein-after mentioned, and the said Board may from Time to Time alter or vary such Regulations as to the said Board may seem expedient: Provided always, that all Regulations to be made by the said Board under this Act shall be laid before Parliament within Fourteen Days after the making thereof, if Parliament be sitting, and if Parliament be not sitting, then within Fourteen Days after the next Meeting thereof.

Board of Control to make Regulations.

Regulations to be laid before Parliament.

XXXIX. It shall be lawful for the said Board, by such Regulations as aforesaid, to determine the Age and Qualifications in all respects of Persons to be admitted Students into the said College and Seminary respectively, and of Persons who may be examined as Candidates for such Admission, and to make Provisions for admitting such qualified Candidates to Examination, and prescribing the Branches of Knowledge in which such Candidates shall be examined, and generally for regulating and conducting such Examinations, and for admitting into such College and Seminary respectively qualified Persons

Regulations as to Admission to Haileybury and Addiscombe, and for Examination of Candidates.

Persons from among Candidates who shall have been examined as aforesaid.

Regulations as to Admission into the Civil and Military Service, and of Assistant Surgeons.

XL. It shall be also lawful for the said Board, by such Regulations as aforesaid, to determine the Age and Qualifications of Persons to be appointed to the Civil Service of the said Company in *India*, or to their Military Service there, or as Assistant Surgeons in the said Company's Forces, and to prescribe the Branches of Knowledge in which Candidates for Appointment to the Civil and Military Service respectively of the said Company in *India*, and for Appointment as such Assistant Surgeons as aforesaid, shall be examined, and generally to provide for regulating and conducting such respective Examinations.

Persons qualified and entitled according to the Regulations only to be appointed.

XLI. Such Persons only shall be appointed or admitted by the Court of Directors to the Civil and Military Service of the said Company in *India*, or as such Assistant Surgeons as aforesaid, as shall be qualified and entitled to Admission according to the Regulations for the Time being in force under this Act, and the Court of Directors shall from Time to Time appoint such Persons as may become entitled to Appointments under such Regulations.

Board of Control to appoint Examiners.

XLII. It shall be lawful for the said Board of Commissioners from Time to Time to appoint such Persons as they may see fit, to be respectively Examiners for conducting the Examinations, under the Regulations to be made under this Act, of Persons desirous of being admitted as Students into the said College at *Haileybury* and Seminary at *Addiscombe*, and of Candidates for Appointment to the Civil and Military Service respectively of the said Company, and of Persons desirous of being appointed Assistant Surgeons in the said Company's Forces.

Commencement of Act.

XLIII. This Act shall, save as herein otherwise expressly provided, commence and take effect on the Thirtieth Day of *April* One thousand eight hundred and fifty-four.

LONDON:
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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

CAP. XCVI.

An Act to amend an Act passed in the Ninth Year of Her Majesty, "for the Regulation of the "Care and Treatment of Lunatics."

[20th *August* 1853.]

WHEREAS an Act was passed in the Ninth Year of Her Majesty, "for the Regulation of the Care and Treatment "of Lunatics:" And whereas it is expedient to amend the said Act as herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 9 & 9 Vict. c. 100.

I. Section Twenty-five of the said recited Act shall be repealed, and any One Licence to be granted for the Reception of Lunatics may, in the Discretion of the Commissioners or Justices granting such Licence, include Two or more Houses belonging to One Proprietor or to Two or more joint Proprietors, provided that no One of such Houses be separated from the other or others of them otherwise than by Land in the same Occupation, and by a Road, or by either of such Modes; and all Houses, Buildings, and Lands intended to be included in any Licence shall be specified, delineated, Section 25. of recited Act repealed, and Provision as to what may be included in One Licence.

 and

and described in the Plan required by Section Twenty-four of the said recited Act.

The Person or One of the Persons receiving a Licence to reside on the Premises.

II. No Person having, after the passing of the said recited Act, received for the First Time a Licence for the Reception of Lunatics, or hereafter receiving for the First Time such Licence, shall receive a Licence unless he shall reside on the Premises licensed; and no Two or more Persons having after the passing of the said recited Act received for the First Time a joint Licence for the Reception of Lunatics, or hereafter receiving for the First Time such Licence, shall receive such Licence unless they or One of them shall reside on the Premises licensed.

Sections 45, 46, 47, 48, and 49 of 8 & 9 Vict. c. 100. repealed.

III. Sections Forty-five, Forty-six, Forty-seven, Forty-eight, and Forty-nine of the said recited Act shall be repealed; but such Repeal shall not prevent or defeat any Prosecution for any Offence committed before the Commencement of this Act, and every such Offence shall and may be prosecuted, and every pending Prosecution continued, as if this Act had not been passed.

No Person not a Pauper to be received into a Hospital or licensed House without a certain Order and Certificates.

IV. Save as herein-after otherwise provided, no Person (not being a Lunatic) for or in respect of whom any Money shall be paid or agreed to be paid shall be boarded or lodged in any licensed House; and, save where otherwise provided or authorized under this or any other Act, no Person (not being a Pauper) shall be received as a Lunatic into any licensed House or Hospital without an Order under the Hand of some Person according to the Form in Schedule (A.) No. 1. annexed to this Act, together with such Statement of Particulars as is contained in the same Schedule, nor without the Medical Certificates, according to the Form in Schedule (A.) No. 2. annexed to this Act, of Two Persons, each of whom shall be a Physician, Surgeon, or Apothecary, and shall not be in Partnership with or an Assistant to the other, and each of whom shall separately from the other have personally examined the Person to whom the Certificate signed by him relates not more than Seven clear Days previously to the Reception of such Person into such House or Hospital; and such Order as aforesaid may be signed before or after the Medical Certificates or either of them; and every Person who shall receive any such Person as aforesaid into any such House or Hospital as aforesaid (save where otherwise provided or authorized under this or any other Act) without such Order and Medical Certificates as aforesaid shall be guilty of a Misdemeanor.

Proviso that in certain Cases any

V. Provided always, That any Person (not a Pauper) may, under special Circumstances preventing the Examination of such Person by Two

Two Medical Practitioners as aforesaid, be received as a Lunatic into any licensed House or any Hospital upon such Order as aforesaid, and with the Certificate of One Physician, Surgeon, or Apothecary alone, provided that the Statement accompanying such Order set forth the special Circumstances which prevent the Examination of such Person by Two Medical Practitioners; but in every such Case Two other such Certificates shall, within Three clear Days after his Reception into such House or Hospital, be signed by Two other Persons, each of whom shall be a Physician, Surgeon, or Apothecary, not in Partnership with or an Assistant to the other or the Physician, Surgeon, or Apothecary who signed the Certificate on which the Patient was received, and not connected with such House or Hospital, and shall within such Time and separately from the other of them have personally examined the Person so received as a Lunatic; and every Person who, having received any Person as a Lunatic into any House or Hospital as aforesaid upon the Certificate of One Medical Practitioner alone as aforesaid, shall keep or permit such Person to remain in such House or Hospital beyond the said Period of Three clear Days without such further Certificates as aforesaid, shall be guilty of a Misdemeanor.

Person may be received on a Certificate signed by One Medical Practitioner only.

VI. Provided also, That it shall be lawful for the Proprietor or Superintendent of any licensed House, with the previous Assent in Writing of Two of the Commissioners, such Assent not to be given until after such Commissioners have, by personal Examination of the Patient, satisfied themselves of his Desire to remain, to entertain and keep in such House as a Boarder any Person who may have been discharged as a Patient from such House for such Time after such Discharge as he may desire to remain, not exceeding the Time specified in such Assent, and also, for the Benefit of any Patient in such House, and with the previous Assent in Writing of Two of the Commissioners, to receive and accommodate as a Boarder therein, for a Time to be specified in the Assent, any Relative or Friend of such Patient, and any Two of the Commissioners may from Time to Time, by any Writing under their Hands, extend or revoke any such Assent as aforesaid; and every such Patient so retained after Discharge, and every such Relative or Friend so accommodated, shall, if required, be produced to the Commissioners and Visitors respectively at their respective Visits.

Any Person discharged may, with Assent of Visitors or Commissioners, be retained in licensed House, and a Relative or Friend may, with like Assent, be received therein.

VII. Save where otherwise provided or authorized under any Act, no Pauper shall be received into any licensed House or any Hospital without an Order according to the Form in Schedule (B.) No. 1. annexed to this Act, under the Hand of One Justice, or under the Hands of an Officiating Clergyman, and the Relieving Officer or One of

Paupers not to be received without a certain Order and Certificate.

of the Overseers of the Union or Parish from which such Pauper shall be sent, together with such Statement of Particulars as is contained in the same Schedule, nor without the Medical Certificate, according to the Form in Schedule (B.) No. 2. annexed to this Act, of a Physician, Surgeon, or Apothecary, who shall have personally examined the Pauper to whom it relates not more than Seven clear Days previously to his Reception; and every Person who shall receive any Pauper into any such House or Hospital as aforesaid (save where otherwise provided or authorized under any Act) without such Order and Medical Certificate as last aforesaid shall be guilty of a Misdemeanor; provided always, that this Enactment shall not by Implication or otherwise give any Power or Authority to make such Order, or extend, alter, or affect any Power or Authority expressly given by any Act to any Justice, Officiating Clergyman, Relieving Officer, or Overseer to make or join in making any such Order, or any Provisions giving or relating to such Power or Authority.

The like Order and Certificates for Reception of a single Patient as for Reception of a private Patient into a licensed House.

VIII. Where, under Section Ninety of the said recited Act, the like Order and Medical Certificates are required on the Reception or taking the Charge or Care of any One Person as a Lunatic or alleged Lunatic as are therein-before required on the Reception of a Patient (not being a Pauper) into a licensed House, the like Order and Medical Certificates (in lieu of those required as first aforesaid) shall hereafter be required on the Reception or taking the Charge or Care of any such Person as are by this Act required on the Reception of a Patient (not being a Pauper) into a licensed House.

Penalty on Officers, &c. ill-treating Lunatics.

IX. If any Superintendent, Officer, Nurse, Attendant, Servant, or other Person employed in any registered Hospital or licensed House, or any Person having the Care or Charge of any single Patient, or any Attendant of any single Patient, in any way abuse, or ill-treat, or wilfully neglect any Patient in such Hospital or House, or such single Patient, or if any Person detaining, or taking or having the Care or Charge, or concerned or taking Part in the Custody, Care, or Treatment, of any Lunatic or Person alleged to be a Lunatic, in any way abuse, ill-treat, or wilfully neglect such Lunatic or alleged Lunatic, he shall be guilty of a Misdemeanor, and shall be subject to Indictment for every such Offence, or to forfeit for every such Offence, on a summary Conviction thereof before Two Justices, any Sum not exceeding Twenty Pounds.

Medical Certificate to specify Facts upon which Opinion of

X. Every Physician, Surgeon, and Apothecary signing any Certificate under or for the Purposes of this Act shall specify therein the Facts upon which he has formed his Opinion that the Person to whom such Certificate relates is a Lunatic, an Idiot, or a Person of

of unsound Mind, and distinguish in such Certificate Facts observed by himself from Facts communicated to him by others; and no Person shall be received into any registered Hospital or licensed House, or as a single Patient, under any Certificate which purports to be founded only upon Facts communicated by others.

Insanity has been formed.

XI. If after the Reception of any Lunatic it appear that the Order or the Medical Certificate, or (if more than One) both or either of the Medical Certificates, upon which he was received, is or are in any respect incorrect or defective, such Order and Medical Certificate or Certificates may be amended by the Person signing the same at any Time within Fourteen Days next after the Reception of such Lunatic; provided nevertheless, that no such Amendment shall have any Force or Effect unless the same shall receive the Sanction of One or more of the Commissioners.

Orders and Medical Certificates may be amended.

XII. No Physician, Surgeon, or Apothecary who, or whose Father, Brother, Son, Partner, or Assistant, is wholly or partly the Proprietor of, or a regular Professional Attendant in, a licensed House or a Hospital, shall sign any Certificate for the Reception of a Patient into such House or Hospital; and no Physician, Surgeon, or Apothecary shall himself, or by his Servants or Agents, receive to board or lodge in any unlicensed House, or take the Charge or Care of any Person upon or under any Medical Certificate signed by himself or his Father, Brother, Son, Partner, or Assistant, and no Physician, Surgeon, or Apothecary having (either before or after the passing of this Act) signed any Certificate for the Reception of any Person shall be the regular professional Attendant of such Person while under Care or Charge under such Certificate; and no Physician, Surgeon, or Apothecary who, or whose Father, Brother, Son, Partner, or Assistant, shall sign the Order herein-before required for the Reception of a Patient, shall sign any Certificate for the Reception of the same Patient.

Who not to sign Certificates, &c.

XIII. Any Physician, Surgeon, or Apothecary who shall sign any Certificate, or do any other Act (not declared to be a Misdemeanor) contrary to any of the Provisions herein contained, shall for every such Offence forfeit any Sum not exceeding Twenty Pounds; and any Physician, Surgeon, or Apothecary who shall falsely state or certify anything in any Certificate under this Act, and any Person who shall sign any Certificate under this Act in which he shall be described as a Physician, Surgeon, or Apothecary, not being a Physician, Surgeon, or Apothecary respectively within the Meaning of this Act, shall be guilty of a Misdemeanor.

A Medical Man giving false Certificates, &c., and a Person not being a Medical Man giving Certificates as such, guilty of a Misdemeanor.

Commissioners may permit Medical Visitation of any single Patient less frequently than once a Fortnight, but if Patient be in the Care of a Medical Man he is to make an Entry once a Fortnight as to Patient's Health.

XIV. It shall be lawful for the Commissioners, by an Order under their Common Seal, where they see fit so to do, to permit the Visitation of any single Patient by a Physician, Surgeon, or Apothecary less frequently than once in every Two Weeks, as required by Section Ninety of the said recited Act, and to prescribe from Time to Time how often any single Patient shall be visited by such a Physician, Surgeon, or Apothecary as therein mentioned; but where such Visitation of any single Patient so often as once in every Two Weeks is so dispensed with, and such Patient is in the Care or Charge of a Physician, Surgeon, or Apothecary, such Physician, Surgeon, or Apothecary shall once at the least in every Two Weeks make an Entry in a Book to be kept for that Purpose, to be called "The Medical Journal," of the Condition of the Patient's Health, both mental and bodily, together with the Date of such Entry, and such Book shall be produced to the Visiting Commissioner on every Visit, and shall be signed by him as having been so produced, and every such Physician, Surgeon, or Apothecary who shall make an untrue Entry in the said Book shall be guilty of a Misdemeanor.

Visitors of licensed Houses may visit single Patients on Request of Commissioners.

XV. It shall be lawful for One or more of the Visitors appointed in or for any County or Borough under the said recited Act, upon the Request in Writing of the Commissioners, or any Two of them, under their Hands, so to do, to visit any Person detained in any unlicensed House in such County or Borough as a single Patient, and to inquire into and report to the Commissioners on the Treatment and State of Health, bodily and mental, of such Patient, and to inspect the Order and Certificates on which such Person was received; and the Provisions of the said recited Act for and concerning the Remuneration or Payment of any such Visitor, being a Physician, Surgeon, or Apothecary, in respect of the Execution of the Duties of that Act, and for the Payment of the Costs, Charges, and Expenses incurred by any Visitor in Proceedings under that Act, shall extend and be applicable to and for the Remuneration or Payment of any Visitor, being a Physician, Surgeon, or Apothecary, visiting as aforesaid any single Patient, and to and for the Payment of the Costs, Charges, and Expenses incurred by any Visitor in or about such Visit as aforesaid.

Annual Report to be made to the Commissioners by every Medical Man visiting or having

XVI. Every Physician, Surgeon, and Apothecary who visits any single Patient, or under whose Care or Charge any single Patient shall be, shall on the Tenth Day of *January*, or within Seven Days from that Time, in every Year report in Writing to the Commissioners the State of Health, bodily and mental, of such Patient, with such other Circumstances as he may deem necessary to be communicated to the Commis-

Commissioners; and it shall be lawful for the Commissioners, at any other Time and from Time to Time as they see occasion, to call for and require from any such Physician, Surgeon, or Apothecary a Report in Writing relative to any single Patient visited by him or under his Care or Charge in such Form and specifying such Particulars as the Commissioners may direct.

Charge of a single Patient.

XVII. The Provisions contained in Sections Seventy-two and Seventy-three of the said recited Act for the Discharge of Patients (not being Paupers) from licensed Houses shall extend and be applicable to and for the Discharge of any single Patient: Provided always, that this Enactment shall not extend to authorize the Discharge of any single Patient, if the Physician, Surgeon, or Apothecary who has the Care or Charge of or visits such Patient certify in Writing under his Hand that in his Opinion such Patient is dangerous, and unfit to be at large, together with the Grounds on which such Opinion is founded, unless One of the Commissioners shall consent in Writing to the Discharge of such Patient.

Provisions concerning Discharge of Patients from licensed Houses by Relatives extended to single Patients.

XVIII. It shall be lawful for the Lord Chancellor, upon the Report of the Commissioners in Lunacy, to order the Discharge of any Person received or detained as a single Patient, or to give such Orders and Directions in reference to such Patient as the Lord Chancellor shall think fit; and any Person detaining any such Patient for the Space of Three Days after a Copy of such Order for his Discharge shall have been served on him, or left at the House in which such Person so ordered to be discharged is detained, shall be guilty of a Misdemeanor.

Lord Chancellor, upon Report of Commissioners, may order Discharge, &c. of any single Patient.

XIX. The Superintendent or Proprietor of every registered Hospital and licensed House, and every Person having the Care or Charge of any single Patient, shall forthwith, upon the Recovery of any Patient in such Hospital or House, or of such single Patient, transmit Notice of such Recovery in the Case of a Patient not a Pauper to the Person who signed the Order for his Reception, or by whom the last Payment on account of such Patient was made, and in the Case of a Pauper to the Guardians of his Union or Parish, or if there be no such Guardians to One of the Overseers of the Poor of his Parish, or if such Pauper be chargeable to any County to the Clerk of the Peace thereof, and in case such Patient be not discharged or removed within Fourteen Days from the giving of such Notice, such Superintendent, Proprietor, or Person as aforesaid shall immediately after the Expiration of such Period transmit Notice of the Recovery of such Patient to the Commissioners, and also, in the Case of a licensed House within the Jurisdiction of any Visitors, to the Clerk of such Visitors, with

On Recovery of a Patient Notice to be given to Friends, and in the Case of a Pauper to Guardians, &c., and in default of Discharge or Removal, to Commissioners and Visitors.

with the Date of the Notice firstly in this Enactment mentioned, and where Notice is so given to the Clerk of any Visitors he shall forthwith communicate the same to the Visitors, or Two of them, One of whom shall be a Physician, Surgeon, or Apothecary; and in case of the Death of any Patient in any Hospital or licensed House, a Statement setting forth the Time and Cause of the Death, and the Duration of the Disease of which such Patient died, shall be prepared and signed by the Medical Person or Persons who attended the Patient during the Illness which terminated in Death, and such Statement shall be entered in the "Case Book," and a Copy of such Statement, certified by the Superintendent or Proprietor, shall, within Two Days of the Date of the Death, be transmitted to the Coroner for the County or Borough, and in case such Coroner, after receiving such Statement, shall think that any reasonable Suspicion attends the Cause and Circumstances of the Death of such Patient, he shall summon a Jury to inquire into the Cause of such Death.

Provision in case of Death of Patient in any Hospital or licensed House.

Provision authorizing Transfer of private and single Patients.

XX. Any Person, having Authority to order the Discharge of any Patient (not being a Pauper) from any Asylum, registered Hospital, or licensed House, or of any single Patient, may, with the previous Consent in Writing of Two of the Commissioners, direct, by an Order in Writing under his Hand, the Removal of such Patient to any Asylum, registered Hospital, or licensed House, or to the Care or Charge of any Person mentioned or named in such Order; and every such Order and Consent shall be made and given respectively in duplicate, and One of the Duplicates shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or House from which or the Person from whose Care or Charge the Patient is ordered to be removed, and the other Duplicate shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or House into which or the Person into whose Care or Charge the Patient is ordered to be removed; and such Order for Removal, together with such Consent in Writing, shall be a sufficient Authority for the Removal of such Patient, and also for his Reception into the Asylum, registered Hospital, or licensed House into which or by the Person into whose Care or Charge he is ordered to be removed: Provided always, that a Copy of the Order and Certificates upon which such Patient was received into the Asylum, Hospital, or House from which he is removed, or as a single Patient, by the Person from whose Care he is removed, certified under the Hand of the Superintendent or Proprietor of such Asylum, Hospital, or House, or of such Person as last aforesaid, to be a true Copy, shall be furnished by him free of Expense, and shall be delivered, with One Duplicate of the said Order of Removal and Consent,

Consent, to the Superintendent or Proprietor of the Asylum, Hospital, or House to which or to the Person to whose Care or Charge such Patient is removed.

XXI. Every Person from whose Care or Charge any single Patient shall be discharged shall transmit to the Commissioners a written Notice of such Discharge within the like Period, and under the like Penalty for Default, as by the said recited Act is required and provided in the Case of the Discharge of a Patient from a licensed House.

Notice of Discharge of single Patients to be sent to the Commissioners.

XXII. It shall be lawful for any Person having the Care or Charge of a single Patient to change his Residence, and remove such Patient to any new Residence of such Person, in *England*, provided that Seven clear Days before such Change of Residence he give Notice in Writing thereof, and of the Place of such new Residence, to the Commissioners and to the Person who signed the Order for the Reception of such Patient, or by whom the last Payment on account of such Patient was made; and it shall be lawful for any Person having the Care or Charge of any single Patient, having first obtained the Consent of Two of the Commissioners, to take or send such Patient, under proper Control, to any specified Place or Places, for any definite Time, for the Benefit of his Health: Provided always, that before any such Consent shall be given, the Approval in Writing of the Person who signed the Order for the Reception of such Patient, or by whom the last Payment on account of such Patient was made, shall be produced to such Commissioners, unless they shall, on Cause being shown, dispense with the same.

Provisions as to Change of Residence of Persons having Charge of single Patients, and temporary Removal of such Patients for Benefit of Health.

XXIII. Where any Person has already been received as a Lunatic under Order and Certificates, and shall be detained thereunder, and where any Person shall hereafter be in like Manner received and detained, and the Commissioners represent to the Lord Chancellor that it is desirable that the Extent and Nature of his Income should be ascertained, and the Application thereof, the Lord Chancellor may, if he think fit, through the Registrar in Lunacy, require that the Person signing the Order, or other the Person paying for the Care and Maintenance of the Lunatic or having the Management of the Property, shall transmit to the Lord Chancellor a Statement in Writing, to the best of his Knowledge, of the Particulars of the Property and Income of the Lunatic and of the Application of the Income.

On Representation of Commissioners Lord Chancellor may require Statement of Property of Lunatic detained for One Year.

XXIV. The Notice of Admission and Statement mentioned or referred to in Section Fifty-two of the said recited Act shall hereafter be according to the Form mentioned in Schedule (C.) annexed to this

Form of Notice of Admission.

this Act, in lieu of the Form set forth in Schedule (F.) to the said recited Act; and such Statement shall be signed by the Medical Superintendent, Proprietor, or Attendant of the Hospital or licensed House from which the same is sent, and the said Notice and Statement shall be accompanied by a Copy of the several Documents mentioned in the said Notice.

Form of Medical Visitation Book.

XXV. The Medical Visitation Book mentioned in Section Fifty-nine of the said recited Act shall henceforth be kept in the Form set forth in Schedule (D.) annexed to this Act, in lieu of the Form set forth in Schedule (H.) to the said recited Act; and the said Section shall be construed as if the Particulars mentioned in the several Heads of the said Form in the said Schedule (D.) had by the said Section been required to be entered in the said Book in lieu of the Particulars mentioned in the said Section.

Notice of Dismissal for Misconduct of Attendants to be sent to Commissioners.

XXVI. The Superintendent or Proprietor of every registered Hospital or licensed House shall, within One Week after the Dismissal for Misconduct of any Nurse or Attendant employed in such Hospital or House, transmit to the Commissioners, by the Post, Information in Writing under his Hand of such Dismissal, and of the Cause thereof; and every Superintendent or Proprietor neglecting to transmit such Information to the Commissioners within the Period aforesaid shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Powers vested in Private Committee to be vested in the Commissioners.

XXVII. Section Eighty-nine of the said recited Act, constituting from among the Commissioners a Private Committee for the Purposes in the said Act mentioned, shall be repealed, and all the Powers vested in, and all the Provisions of the said Act applicable to, the said Private Committee, or One or Two Members thereof, shall be vested in and be applicable to the Commissioners, or One Commissioner, or Two Commissioners, (as the Case may require,) as if, where in the said Act the said Private Committee, or One Member or Two Members thereof, (as the Case may be,) is or are mentioned or referred to, the Commissioners, or One Commissioner, or Two Commissioners, (as the Case may require,) had been mentioned or referred to, instead thereof.

Repeal of Section 111. of recited Act, and Provision as to Visitation of Workhouses.

XXVIII. Section One hundred and eleven of the said recited Act shall be repealed, and any One or more of the Commissioners shall and may on such Day or Days, and at such Hours in the Day, and for such Length of Time as he or they shall think fit, visit all such Parish and Union Workhouses in which there shall be or be alleged to be any Lunatic, as the Commissioners shall by any Resolution or Resolutions of the Board direct, and shall inquire whether the Provisions

visions of the Law as to Lunatics in such Parish or Union have been carried out, and also as to the Dietary, Accommodation, and Treatment of the Lunatics in such Workhouses, and shall report in Writing thereon to the Poor Law Board.

Commissioners may in any special Case employ Persons to make the necessary Inquiries, and report to them thereon.

XXIX. It shall be lawful for the Commissioners, where, for any Reasons to be entered upon the Minutes of the Board, any Case appears to them specially to call for immediate Investigation, to authorize and direct, by an Order under their Common Seal, any competent Person or Persons to visit and examine and report to them upon the mental and bodily State and Condition of any Lunatic or alleged Lunatic in any Asylum, Hospital, or licensed House, or of any Pauper Lunatic in a Workhouse or elsewhere, or of any Lunatic or alleged Lunatic under the Care or Charge of any Person as a single Patient, and to inquire into and report upon any Matters into which the Commissioners are authorized to inquire: and every such Person shall, for the special Purposes mentioned in such Order, have all the Powers of a Commissioner; and the Commissioners may allow to every such Person a reasonable Sum for his Services and Expenses, such Sum to be paid in manner provided by the said recited Act with regard to Expenses incurred by or under the Authority of the Commissioners in Proceedings thereunder; but this Enactment shall not be taken to exonerate the Commissioners from the Performance of any Duty by Law imposed on them.

Regulations for Hospitals to be submitted to Secretary of State.

XXX. The Committee having the Management or Government of every registered Hospital shall, within Three Months after the passing of this Act in the Case of every Hospital now registered, and within Three Months after the Registration of every Hospital hereafter to be registered under the said recited Act, submit the existing Regulations, or Regulations to be framed by such Committee, to One of Her Majesty's Principal Secretaries of State, for his Approval, and any such Committee may, with the like Approbation, alter and vary such Regulations as they think necessary; and all such Regulations so approved shall be printed, abided by, and observed, and a Copy thereof shall be sent to the Commissioners, and another Copy thereof kept hung up in the Visitors Room of the Hospital.

Commissioners may make Regulations for the Government of licensed Houses.

XXXI. It shall be lawful for the Commissioners, with the Sanction and Approbation of One of Her Majesty's Principal Secretaries of State, from Time to Time to make Regulations for the Government of any House licensed for the Reception of Lunatics; and such Regulations of the Commissioners, or a Copy thereof, shall be transmitted by their Secretary to the Proprietor or resident Superintendent

dent of every licensed House to which the same relate, and shall be abided by and observed therein.

Time at which Reports of Commissioners to the Lord Chancellor as to State of Asylums, &c. are to be made.

XXXII. The Report required by Section Eighty-eight of the said recited Act to be made by the Commissioners to the Lord Chancellor in the Month of *June* in every Year of the State and Condition of the several Houses, Hospitals, Asylums, and other Places visited by them under that Act, and of the Care of the Patients therein, and of such other Particulars as they think deserving of Notice, shall be made in or before the Month of *March* in every Year, and shall be made up to the End of the preceding Year.

Provision for Payment of Persons employed to inspect Places where Lunatics are confined extended to Persons visiting under s. 112. of 8 & 9 Vict. c. 100.

XXXIII. The Provision in Section One hundred and thirteen of the said recited Act, for and concerning the Payment for Attendance and Trouble of any Person (not being a Commissioner) employed under that Enactment, and of the travelling or other Expenses of any Person so employed, and as to the Fund out of which such Payment is to be made, shall extend and be applicable to and in the Case of any Person (not being a Commissioner) required to visit and examine any Lunatic or supposed Lunatic under Section One hundred and twelve of the said recited Act.

Penalty on Persons obstructing Execution of Orders of Lord Chancellor or Secretary of State, made under ss. 112. or 113. of recited Act, or of Commissioners made under this Act.

XXXIV. Any Person who wilfully obstructs the Commissioners or any of them, or any other Person authorized by an Order in Writing under the Hand of the Lord Chancellor or Her Majesty's Principal Secretary of State for the Home Department, pursuant to the Provisions of Section One hundred and twelve or One hundred and thirteen of the said recited Act, to visit and examine any Lunatic or supposed Lunatic, or to inspect or inquire into the State of any Asylum, Hospital, Gaol, House, or Place wherein any Lunatic or Person represented to be lunatic is confined or alleged to be confined, in the Execution of such Order, and any Person who wilfully obstructs any Person authorized under this Act by any Order of the Commissioners to make any Visit and Examination or Inquiry in the Execution of such Order, shall (without Prejudice to any Proceedings, and in addition to any Punishment to which such Person obstructing the Execution of such Order would otherwise be liable,) forfeit for every such Offence any Sum not exceeding Twenty Pounds.

Sect. 116. of recited Act repealed, and Bethlehem Hospital to be subject to this Act.

XXXV. Section One hundred and sixteen of the said recited Act shall be repealed, and the Royal Hospital of *Bethlehem* shall henceforth be subject to the Provisions of the said recited Act and of this Act, in the same Manner as if the same had not been exempted from the

the said recited Act, and shall be forthwith registered as an Hospital accordingly, in pursuance of Section Forty-three of the said recited Act.

Interpretation of Terms.

XXXVI. In the Construction of the said recited Act and of this Act the Words "Physician," "Surgeon," and "Apothecary" shall respectively mean a Physician, Surgeon, and Apothecary duly authorized or licensed to practise as such by or as a Member of some College, University, Company, or Institution legally constituted and qualified to grant such Authority or Licence in some Part of the United Kingdom, or having been in Practice as an Apothecary in *England* or *Wales* on or before the First Day of *August* One thousand eight hundred and fifteen, and being in actual Practice as such Physician, Surgeon, or Apothecary; the Expression "Officiating Clergyman of the Parish" shall include the Chaplain of the Workhouse of the same Parish, or of the Workhouse of the Union to which such Parish belongs; the Expression "single Patient" shall mean any Person received or taken charge of as a Lunatic under Section Ninety of the said recited Act, or under such Section as amended by this Act; and the Expression "Attendant" shall mean any Person, whether Male or Female, who shall be employed either wholly or partially in the personal Care, Control, or Management of any Lunatic in any registered Hospital or licensed House, or of any single Patient; and in the Construction of this Act the Word "Board," as used in relation to the Commissioners in Lunacy, shall mean any Three or more of the Commissioners assembled at a Meeting convened in pursuance of Section Sixteen of the said recited Act, or holden under any Order or Rule for the Time being in force made under Section Seventy of the said recited Act for regulating the Duties of the Commissioners.

Recited Act and this Act to be construed as One Act, &c.

XXXVII. The said recited Act and this Act shall be construed together as One Act, and a Queen's Printers Copy of this Act shall be bound up in the "Visitors Book" of every Hospital and licensed House together with the said recited Act.

Act not to affect Provisions relating to Criminal Lunatics, 39 & 40 G. 3. c. 94., 1 & 2 Vict. c. 14., and 3 & 4 Vict. c. 54., save as herein provided.

XXXVIII. Nothing in this Act shall affect the Provisions of any of the following Acts; (that is to say,) an Act of the Session holden in the Thirty-ninth and Fortieth Years of King *George* the Third, Chapter Ninety-four; an Act of the Session holden in the First and Second Years of Her Majesty, Chapter Fourteen; and an Act of the Session holden in the Third and Fourth Years of Her Majesty, Chapter Fifty-four, or any other Provisions concerning Criminal Lunatics, save as herein-after provided; that is to say, it shall be lawful for One of Her Majesty's Principal Secretaries of State to issue his

his Warrant to remove or discharge any insane Person who shall be in Custody under the Provisions of the said Act of the Third and Fourth Years of Her Majesty, c. 54., provided it shall be duly certified to such Secretary of State, by Two Physicians or Surgeons, that such insane Person was harmless and might be discharged from Restraint as an insane Person without Danger to himself or to others, in like Manner as if it had been certified to such Secretary of State that such Person had become of sound Mind, anything in the said Act or any other Act to the contrary thereof in anywise notwithstanding.

Secretary to the Commissioners, if at the Time of his Appointment a practising Barrister of Five Years standing, eligible to be appointed a Commissioner.

XXXIX. And whereas by the said recited Act it is provided that every Person to be appointed in the Room of any Commissioner, being a Barrister of Five Years standing at the Bar and upwards, shall be a practising Barrister of not less than Five Years standing at the Bar: And whereas it is expedient to amend the said Provisions as herein-after mentioned; the present or any future Secretary to the Commissioners, if at the Time of his Appointment to be such Secretary he was or shall have been a practising Barrister of not less than Five Years standing at the Bar, shall be eligible to be appointed a Commissioner in the Room of any such Commissioner as aforesaid.

Commencement of Act.

XL. This Act shall commence and come into operation on the First Day of *November* One thousand eight hundred and fifty-three.

SCHE-

SCHEDULES to the foregoing Act.

SCHEDULE (A.) No. 1. Sections 4, 8.

ORDER for the RECEPTION of a PRIVATE PATIENT.

I, the undersigned, hereby request you to receive *A.B.*, a Lunatic, [*or* an Idiot, *or* a Person of unsound Mind,] as a Patient into your House [*or* Hospital]. Subjoined is a Statement respecting the said *A.B.*

(Signed) Name.
Occupation (if any).
Place of Abode.
Degree of Relationship (if any), or other Circumstance of Connexion with the Patient.

Dated this Day of One thousand eight hundred and

To Proprietor [*or* Superintendent] of [*describing the House or Hospital by Situation and Name, if any*].

STATEMENT.

[*If any Particulars in this Statement be not known, the Fact to be so stated.*]

Name of Patient, with Christian Name at Length.
Sex and Age.
Married, single, or widowed.
Condition of Life, and previous Occupation (if any).
The Religious Persuasion, as far as known.
Previous Place of Abode.
Whether First Attack.
Age (if known), on First Attack.
When and where previously under Care and Treatment.
Duration of existing Attack.
Supposed Cause.
Whether subject to Epilepsy.
Whether suicidal.
Whether dangerous to others.

Whether

Whether found lunatic by Inquisition, and Date of Commission or Order for Inquisition.

Special Circumstances (if any) preventing the Patient being examined, before Admission, separately by Two Medical Practitioners.

(Signed) Name.

[*Where the Person signing the Statement is not the Person who signs the Order, the following Particulars concerning the Person signing the Statement are to be added; vizt.,*

Occupation (if any).

Place of Abode.

Degree of Relationship (if any) or other Circumstances of connexion with the Patient.]

SCHEDULE (A.) No. 2. Sections 4, 5, 8, 10, 11, 12, 13.

FORM OF MEDICAL CERTIFICATE.

I, the undersigned [*here set forth the Qualification entitling the Person certifying to practise as a Physician, Surgeon, or Apothecary,* ex. gra., being a Fellow of the Royal College of Physicians in London], and being in actual Practice as a [Physician, Surgeon, *or* Apothecary, *as the Case may be*], hereby certify, That I, on the Day of at [*here insert the Street and Number of the House (if any) or other like Particulars*], in the County of , separately from any other Medical Practitioner, personally examined *A.B.* of [*insert Residence and Profession or Occupation, if any*], and that the said *A.B.* is a [Lunatic, *or* an Idiot, *or* a Person of unsound Mind], and a proper Person to be taken charge of and detained under Care and Treatment, and that I have formed this Opinion upon the following Grounds; viz.

1. Facts indicating Insanity observed by myself [*here state the Facts*].
2. Other Facts (if any) indicating Insanity communicated to me by others [*here state the Information, and from whom*].

(Signed)

Place of Abode.

Dated this Day of One thousand eight hundred and

SCHE-

SCHEDULE (B.) No. 1. Section 7.

ORDER for the RECEPTION of a PAUPER PATIENT.

I *C.D.* [*or, in the Case of a Clergyman and Relieving Officer, &c.*, we, *C.D.* and *E.F.*], the undersigned, having called to my [*or* our] Assistance a Physician, [*or* Surgeon, *or* Apothecary, *as the Case may be*,] and having personally examined *A.B.*, a Pauper, and being satisfied that the said *A.B.* is a Lunatic [*or* an Idiot, *or* a Person of unsound Mind,] and a proper Person to be taken charge of and detained under Care and Treatment, hereby direct you to receive the said *A.B.* as a Patient into your House [*or* Hospital]. Subjoined is a Statement respecting the said *A.B.*

(Signed) *C.D.*
A Justice of the Peace for the County, City, or Borough of
[*or* an *or* the Officiating Clergyman of the Parish of].
(Signed) *E F.*
The Relieving Officer of the Union or Parish of [*or* an Overseer of the Parish of].

Dated the Day of . One thousand eight hundred

To Proprietor [*or* Superintendent] of
[*describing the House or Hospital*].

STATEMENT.

[*If any Particulars in this Statement be not known, to be so stated.*]

Name of Patient, and Christian Name at Length.
Sex and Age.
Married, single, or widowed.
Condition of Life, and previous Occupation (if any).
The Religious Persuasion, as far as known.
Previous Place of Abode.
Whether First Attack.
Age (if known) on First Attack.
When and where previously under Care and Treatment.
Duration of existing Attack.
Supposed Cause.

Whether subject to Epilepsy.
Whether suicidal.
Whether dangerous to others.
Parish or Union to which the Lunatic is chargeable.
Name and Christian Name and Place of Abode of nearest known Relative of the Patient, and Degree of Relationship (if known).

I certify that, to the best of my Knowledge, the above Particulars are correctly stated.

(Signed)
Relieving Officer [*or* Overseer].

SCHEDULE (B.) No. 2. Sections 7, 10, 11, 12, 13.

FORM of MEDICAL CERTIFICATE.

I, the undersigned [*here set forth the Qualification entitling the Person certifying to practise as a Physician, Surgeon, or Apothecary*, ex. gra., being a Fellow of the Royal College of Physicians in London], and being in actual Practice as a [Physician, Surgeon, *or* Apothecary, *as the Case may be*], hereby certify, That I, on the Day of at [*here insert the Street and Number of the House (if any) or other like Particulars*], in the County of , personally examined *A.B.* of [*insert Residence and Profession or Occupation (if any)*], and that the said *A.B.* is a [Lunatic, *or* an Idiot, *or* a Person of unsound Mind], and a proper Person to be taken charge of and detained under Care and Treatment, and that I have formed this Opinion upon the following Grounds; viz.

1. Facts indicating Insanity observed by myself [*here state the Facts*].
2. Other Facts (if any) indicating Insanity communicated to me by others [*here state the Information, and from whom*].

(Signed)
Place of Abode.

Dated this Day of One thousand eight hundred and

SCHE-

SCHEDULE (C.) Section 24.

Notice of Admission.

I hereby give you Notice, That *A.B.* was admitted into this House [*or* Hospital] as a Private [*or* Pauper] Patient on the Day of and I hereby transmit a Copy of the Order and Medical Certificates [*or* Certificate] on which he was received. [*If a Private Patient be received upon One Certificate only, the special Circumstances which have prevented the Patient from being examined by Two Medical Practitioners to be here stated, as in the Statement accompanying the Order for Admission*].

Subjoined is a Statement with respect to the mental and bodily Condition of the above-named Patient.

(Signed)

Superintendent [*or* Proprietor] of

Dated the Day of One thousand eight hundred and

Statement.

I have this Day [*some Day not less than Two clear Days after the Admission of the Patient*] seen and examined the Patient mentioned in the above Notice, and hereby certify that with respect to mental State he [*or* she] , and that with respect to bodily Health and Condition he [*or* she]

(Signed)

Medical Proprietor [*or* Superintendent, *or* Attendant] of

Dated the Day of One thousand eight hundred and

SCHE-

SCHEDULE (D.) Section 25.

Form of Medical Visitation Book.

Date.	Number and Class of Patients.				Patients who are, or since the last Entry have been, under Restraint, or in Seclusion, when, and for what Period, and Reasons, and, in Cases of Restraint, by what Means.				Patients under Medical Treatment, and for what (if any) bodily Disorder.		Deaths, Injuries, and Violence to Patients since the last Entry.
	Private.		Pauper.		Restraint.		Seclusion.				
	M.	F.	M.	F.	Males.	Females.	Males.	Females.	Males.	Females.	

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

this Act, but every such Agreement or Contract shall and may (subject to the Provisions herein-after contained in relation thereto) be carried into effect and enforced, and every such Offence prosecuted, and every such Penalty and Forfeiture sued for, recovered, and applied, and every pending Prosecution or Proceeding continued, in like Manner as if this Act had not been passed.

As to providing Asylums and Appointment of Committees of Visitors.

Justices of County and Borough not having a Lunatic Asylum to provide one, and Justices of the County or Recorder of the Borough at or before a certain Time to direct Notice to be given of the Intention to appoint a Committee for that Purpose.

II. The Justices of every County and (save as herein-after otherwise provided) of every Borough not having an Asylum for the Pauper Lunatics thereof, shall provide an Asylum in manner herein directed, (that is to say,) the Justices of every such County and the Recorder of every such Borough shall at or before the General or Quarter Sessions for such County or Borough next after the Twentieth Day of *December* One thousand eight hundred and fifty-three direct public Notice to be given by the Clerk of the Peace of such County or Borough, in some Newspaper or Newspapers commonly circulated in such County or Borough, of the Intention of the Justices of such County or Borough to appoint at the then next General or Quarter Sessions for such County, or (in the Case of a Borough) at a Special Meeting of the Justices of such Borough to be fixed in such Notice, and to be holden within Three Months from the Date thereof, a Committee of Justices to provide an Asylum for the Pauper Lunatics of such County or Borough, under the Provisions of this Act; and the Clerk of the Peace of such County or Borough shall, within Ten Days after being so directed as aforesaid, cause such Notice to be given accordingly.

Justices to appoint a Committee to superintend the providing of an Asylum, or to treat for uniting with some County, &c., or to effect one or other of such Purposes.

III. The Justices of every such County and Borough respectively (such Notice having been given as aforesaid) shall at the then next General or Quarter Sessions for such County, or at such Special Meeting as aforesaid of the Justices of such Borough, either themselves determine in which of the Modes herein-after mentioned an Asylum shall be provided for such County or Borough, or shall refer the Selection to the Committee to be appointed as herein-after mentioned, and shall elect some Justices of such County or Borough to be a Committee to provide such Asylum, and may authorize such Committee to provide such Asylum, in such of the Modes herein-after mentioned as the said Justices shall have determined, (that is to say,) to superintend the erecting or providing of an Asylum for the Pauper Lunatics of such County or Borough for such County or Borough alone, or to treat and enter into an Agreement for uniting with any County or Counties, Borough or Boroughs, alone or together with the Subscribers to any Hospital for the Reception of Lunatics, established or in course of Erection, or afterwards to be established, or for uniting with any County or Counties

Counties and Borough or Boroughs jointly, or jointly and also together with the Subscribers to any such Hospital as aforesaid, in erecting or otherwise providing an Asylum under or for the Purposes of this Act, as the Justices appointing such Committee may have determined, or in case the said Justices appointing such Committee think fit to refer the Selection of the Mode in which such Asylum shall be provided to the Committee, they may authorize such Committee to provide such Asylum in such of the Modes aforesaid as to the Committee may seem best; and any Committee so authorized to treat and enter into an Agreement may treat and enter into such Agreement with any Committee or Committees having due Authority in that Behalf under this Act, or any former Act, for any County or Counties, Borough or Boroughs, or on behalf of any such Subscribers as aforesaid, and with any Committee of Visitors of any existing Asylum, and whether or not any previous Agreement for uniting may have been already entered into between some of the Parties under this Act or any former Act; and by any such Agreement to be entered into as aforesaid the several Committees, Parties thereto, may, to the Extent of their Authority, in lieu of agreeing to erect or provide an Asylum, or in addition thereto, and in consideration of any Payment in gross or of the Payment of any Sum in the Nature of Rent or otherwise, agree for the joint Use of any existing Asylum or Hospital, and, where they think fit, for enlarging the same.

Subscribers to any Hospital empowered to appoint a Committee to treat for uniting with any County or Borough, &c.

IV. It shall be lawful for the major Part of such of the Subscribers to any such Hospital as aforesaid as shall be present at any Meeting of such Subscribers called together expressly for this Purpose by Advertisement in a Newspaper commonly circulated in the Place where such Hospital is or is intended to be situate, to elect any Number of such Subscribers not exceeding Five to be a Committee to treat and enter into an Agreement for uniting with any County or Counties or Borough or Boroughs alone, or any County or Counties and Borough or Boroughs jointly, under and for the Purposes of this Act; and where any such Agreement has been or shall be entered into under any former Act or this Act, nothing in this Act shall prevent the Reception into the Asylum provided under such Agreement, or the Discharge therefrom, of so many of any Lunatics other than Pauper Lunatics as might have been received into such Hospital or Asylum if this Act had not been passed.

Committees of Visitors of existing Asylums may enter into

V. It shall be lawful for the Committee of Visitors of any Asylum already provided for any County or Borough, alone or otherwise, to enter into an Agreement for uniting for the Purposes of this Act with any

Agreements to unite.

any County or Counties, Borough or Boroughs, alone or together with the Subscribers to any such Hospital as aforesaid, or for uniting with any County or Counties and Borough or Boroughs jointly, or jointly and also together with the Subscribers to any such Hospital.

Saving where a Committee is already appointed, or Proceedings for the Appointment of a Committee have been commenced.

VI. Provided always, That where a Committee has been appointed before the Commencement of this Act for any County or Borough for any of the Purposes aforesaid, or Proceedings have been taken for or towards the Appointment of a Committee for any of the said Purposes, nothing herein contained shall render it necessary to proceed afresh to the Appointment of a Committee for any of such Purposes; and any Proceedings already taken as aforesaid shall remain in force and be continued; and all the Provisions of this Act shall be applicable to any such Committee already appointed, or to be appointed under such Proceedings, in like Manner as if such Committee had been appointed under the Provisions of this Act.

Justices of Boroughs may contract with Committees of Visitors, &c. for Reception of the Pauper Lunatics of the Borough.

VII. Provided also, That it shall be lawful for the Justices of any such Borough as aforesaid, at such Special Meeting, if they think fit, in lieu of electing a Committee to superintend the erecting or providing of an Asylum, or to treat for uniting, as herein-before mentioned, or to effect either of such Purposes, to elect a Committee of Justices of such Borough to contract with any Committee of Visitors of any existing Asylum, or any Committee providing or about to provide an Asylum, whether for any County or Borough, alone or otherwise, for the Reception of the Pauper Lunatics of such first-mentioned Borough into such Asylum, in consideration of such Payment in gross, or such annual or periodical Payment, and upon and subject to such Terms, Stipulations, and Conditions as to the Duration and Determination of the Contract, and otherwise, as may be agreed upon; and it shall be lawful for any Committee of Visitors of any existing Asylum, or any other such Committee as last aforesaid, to contract with the Committee for any such Borough accordingly; and during the Continuance of such Contract the Justices of such Borough shall, at a Special Meeting of such Justices to be holden within Twenty Days after the Twentieth Day of *December* in every Year, appoint a Committee of such Justices to visit the Pauper Lunatics sent from such Borough to such Asylum, and Two at least of the Members of such Committee shall together once at the least in every Six Months visit such Asylum, and see and examine as far as Circumstances will permit every Lunatic received into such Asylum under such Contract, and shall after each such Visit report the Result thereof, with such Remarks as they think fit, to the Justices of such Borough at a Special Meeting of such Justices; and the Justices making any such Visit may, if they see fit,

fit, be accompanied by some Physician, Surgeon, or Apothecary, other than a Medical Officer of the Asylum; and such Justices may by Writing under their Hands order the Payment to such Physician, Surgeon, or Apothecary of such reasonable Sum for his Services on any such Visit as they may think fit, and such Sum shall, upon the Production of such Order, be paid to such Physician, Surgeon, or Apothecary by the Treasurer of such Borough; and every Report of such Justices so visiting shall be entered among the Records of the Court of Quarter Sessions of such Borough, and shall be open to the Inspection of any of the Commissioners in Lunacy; and such Commissioners may, if they think fit, require a Copy of every or any such Report to be transmitted to them by the Clerk of the Peace of such Borough; and while any such Contract making adequate Provision for the Pauper Lunatics of such Borough is in force such Borough shall not be required to provide an Asylum for itself alone, or in Union, as herein-before mentioned.

Boroughs now contributing to a County Asylum deemed to have an Asylum, but upon Notice may separate from the County.

VIII. Provided also, That every Borough situate within a County having an Asylum for Pauper Lunatics, and which at the Time of the passing of the said Act of the Eighth and Ninth Years of Her Majesty contributed and still contributes to such Asylum, shall be considered as having an Asylum for the Pauper Lunatics of such Borough; but it shall be lawful for any such Borough, at any Time hereafter, upon giving Six Months Notice in Writing under the Hand of the Town Clerk, in pursuance of a Resolution of the Council of such Borough, to the Clerk of the Peace of the County, to separate itself, so far as relates to the Establishment of a Lunatic Asylum for such County, and the Maintenance of Lunatics therein, from such County, and from and after the Expiration of such Notice such Borough shall for the Purposes of this Act be deemed a Borough not having an Asylum for the Pauper Lunatics thereof; and from and after the Expiration of such Notice, and the Withdrawal from such County Asylum of all Lunatics from or belonging to such Borough, such Borough shall not be liable to pay or contribute towards the Expense of the Establishment of such Asylum, or the Maintenance of Lunatics therein, but until the Withdrawal from such County Asylum of all Lunatics from or belonging to such Borough such Borough shall be liable to contribute towards the Expenses of such Asylum, in the same Manner and to the same Extent as if such Notice had not been given.

Every Borough not having Six Justices, besides the Recorder, to

IX. Provided also, That every Borough in which at the passing of the said Act of the Eighth and Ninth Years of Her Majesty hereby repealed, there were not Six Justices besides a Recorder shall, for the Purposes of this Act, be annexed to and be Part of the County in

be annexed to the County or One of the Counties in which it is situate, for the Purposes of this Act.

in which it is wholly situate, or in case it be not wholly situate in any One County shall for the Purposes of this Act be annexed to and be Part of such One of the Counties in which it is situate as such Borough may have been annexed to under the said Act of the Eighth and Ninth Years of Her Majesty, or if not already so annexed then the same shall be annexed to and be Part of such One of the said Counties as One of Her Majesty's Principal Secretaries of State shall by Writing under his Hand direct; and the Recorder of every such Borough shall, at the General or Quarter Sessions next after the Twentieth Day of *December* in every Year, appoint Two Justices of such Borough to be Members of the Committee of Visitors of the Asylum of the County to which such Borough is or shall be annexed; and the Justices of every County to which any Borough is or shall be annexed as aforesaid shall, at their General or Quarter Sessions, from Time to Time fix the Sum to be contributed by such Borough towards the Expenses of and incident to erecting, providing, and maintaining the Asylum of such County, according to the comparative Population of such Borough and County as stated in the then last Returns made of the same under the Authority of Parliament, and cause Notice thereof in Writing to be given to the Treasurer of such Borough, and such Sum shall be raised by a Borough Rate to be made by the Council of the Borough in manner directed by the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, "to provide for the Regulation of Municipal Corporations in *England* and *Wales*," or out of the Borough Fund, if the Council think fit, and shall be paid by the Treasurer of the Borough to the Treasurer of the Asylum.

Recorder to appoint Two Justices to be Members of Committee of Visitors.

5 & 6 W. 4. c. 76.

Boroughs neglecting to provide an Asylum or to contract for the Care of their Pauper Lunatics may be annexed by Secretary of State to the County.

X. If at any Time after the Expiration of One Year after the passing of this Act it appear to One of Her Majesty's Principal Secretaries of State, upon the Report of the Commissioners in Lunacy, that the Justices of any Borough by this Act required to provide an Asylum, or contract for the Care of the Pauper Lunatics thereof, have not provided an Asylum, or entered into an Agreement for that Purpose, or into a subsisting Contract making adequate Provision for the Care of the Pauper Lunatics thereof in some Asylum, and that any Asylum belonging wholly or in part to the County or any of the Counties (if more than One) in which such Borough is locally situate, either wholly or in part, is capable of affording Accommodation for the Pauper Lunatics of such Borough, or may be conveniently enlarged so as to afford such Accommodation, it shall be lawful for such Secretary of State, with the Consent of the Committee of Visitors of such Asylum, by Writing under his Hand, to annex such Borough for the Purposes of this Act to such County; and the Justices of every Borough so annexed under this Provision shall, at a Special Meeting

Justices of Borough so annexed shall

Meeting of such Justices to be holden within Twenty Days after the Twentieth Day of *December* in every Year, appoint Two Justices of such Borough to be Members of the Committee of Visitors of the Asylum of the County to which such Borough shall be annexed; and the Provision in the Enactment lastly herein-before contained in relation to the Contribution by a Borough annexed to a County under such Enactment to the Expenses of the Asylum of such County, shall extend to any Borough so annexed under this Provision.

appoint Two Justices to be Members of Committee of Visitors.

XI. Where any Committee has been appointed for any County or Borough (whether before or after the passing of this Act) for any of the Purposes herein-before mentioned, it shall be lawful for the Justices of such County or Borough, if they think fit, at any General or Quarter Sessions for such County, or (in the Case of a Borough) at any Special Meeting of the Justices of such Borough, after like public Notice as is required in the Case of the first Appointment of the Committee, to enlarge or alter the Powers of the Committee so as to vest in the Committee any such Powers as might be vested in any Committee on the original Appointment thereof under this Act, and, if the Justices see fit so to do, to appoint additional Members of the said Committee, and every such Committee shall have the like Powers, and the Provisions of this Act shall be applicable to such Committee in like Manner, as if such Committee had been originally appointed with the Powers so vested in them under such Enlargement or Alteration of their Powers.

Powers of Committees may be enlarged.

XII. Where any Committee appointed for any County or Borough (either before or after the passing of this Act) for any of the Purposes herein-before mentioned has ceased or shall hereafter cease to exist, without carrying into effect the Purposes for which it was appointed, or, if appointed for the Purpose only of treating for uniting or of contracting as aforesaid, has reported or shall hereafter report that it is not practicable or expedient to enter into an Agreement for uniting or into the proposed Contract, or to that Effect, the Justices of such County or the Recorder of such Borough shall, at or before the General or Quarter Sessions next after the passing of this Act, or next after the Occasion has arisen, cause public Notice to be given, in manner herein directed in the Case of the original Appointment of a Committee under this Act for any of the said Purposes, of the Intention of the Justices of such County or Borough to appoint at the then next General or Quarter Sessions for such County, or (in the Case of a Borough) at some Special Meeting of the Justices of such Borough to be fixed in the Notice and to be holden within Three Months from the Date thereof, a Committee in lieu of the Committee previously appointed as aforesaid; and such Notice

New Committees to be appointed in lieu of Committees which have ceased or shall hereafter cease to exist, &c.

Notice having been so given, the Justices of such County or Borough shall, at the then next General or Quarter Sessions for such County, or at such Special Meeting as aforesaid of the Justices of such Borough, appoint a Committee accordingly, and shall have the like Discretion and Authority for determining the Purposes for which such Committee shall be appointed as in the Case of an original Appointment of a Committee under the Provisions herein-before contained; or such Justices may, if they think fit, in lieu of appointing a new Committee in the Place of any such Committee appointed only for the Purpose of treating for uniting or of contracting as aforesaid, and which may have reported that it is not practicable or expedient to enter into an Agreement for uniting or into the proposed Contract, or to that Effect, enlarge or alter the Powers of such Committee as herein-before provided, and, if such Justices think fit, appoint additional Members of such Committee.

Notice for Appointment of a Committee given at a Time subsequent to that required by this Act, and the Appointment of such Committee, to be valid.

XIII. Provided always, That where the Justices of any County or the Recorder of any Borough have or has not, in pursuance of any of the Provisions herein-before contained, at or before such General or Quarter Sessions as in that Behalf required, caused Notice to be given of the Intention of the Justices of such County or Borough to appoint a Committee under this Act, it shall be lawful for the Justices of such County or the Recorder of such Borough, at or before any subsequent General or Quarter Sessions, to cause such Notice to be given in manner required by this Act; and the Appointment of a Committee in pursuance of such Notice, or the Enlargement or Alteration of the Powers of any existing Committee, and the Appointment of any additional Members of such Committee, at the Sessions or Meeting for which such Notice has been given, shall be valid.

Committees uniting to enter into Agreement in the Form in Schedule (A.)

XIV. When Two or more Committees agree to unite for the Purposes of this Act, an Agreement shall be entered into and signed by the several Committees uniting, or the major Part of such Committees respectively, in the Form or to the Effect set forth in Schedule (A.) to this Act; and such Agreement, when signed by the major Part of each such Committee, and not before, shall be binding upon every County and Borough, and the Subscribers (if any) for or on behalf of which or whom such Agreement has been entered into; and every such Agreement shall specify the Proportion in which the Expenses necessary for carrying into execution the Purposes of this Act shall be charged upon each County and Borough, and the Subscribers (if any) so uniting; and the Proportions of the Counties and Boroughs uniting shall be calculated and fixed with reference to their respective Populations as stated in the then last Return made of the same under the Authority of Parliament; and where under any such Agreement a Right

a Right to the joint Use of any existing Asylum or Hospital is required by any County or Borough, or the Subscribers to any Hospital, such Agreement shall fix the Sum to be paid by such County, Borough, or Subscribers towards the Expenses already incurred in erecting or providing such Asylum or Hospital.

Additional Stipulations or Conditions may be inserted in Agreement, but not so as to subject Acts of Visitors to Control of General or Quarter Sessions.

XV. Provided always, That it shall be lawful for such Committees to insert in the Agreement to be entered into by them any Stipulations or Conditions, in addition to the Matters by this Act required to be specified in such Agreement, so that such additional Stipulations or Conditions do not in any way subject the Acts of the Committee of Visitors to the Approval or Control of any Court of General or Quarter Sessions, or of any Justices, in any Case not provided for by this Act, and the additional Stipulations and Conditions so inserted in the said Agreement shall be of the same Force and Effect as the Matters so required to be specified, notwithstanding that such additional Stipulations or Conditions may control in any other Manner than as herein-before specified and excepted the Discretion and Acts of the Committee of Visitors as regulated by this Act, or may require the Consent or Approval of, or may subject the Acts or Orders of the Visitors to be disallowed, modified, or controlled by, One of Her Majesty's Principal Secretaries of State, in Cases not provided for by this Act; but any Stipulations or Conditions subjecting the Acts of the Committee of Visitors to the Approval or Control of any Court of General or Quarter Sessions, or of any Justices, in any Case not provided for by this Act, shall be void and of none effect.

With Consent of Visitors, Stipulations or Conditions may be repealed

XVI. Provided also, That with the Consent in Writing under the Hands of the greater Number of Visitors of each County and Borough, and of the greater Number of Visitors of any Body of Subscribers united under any Agreement entered into under this Act or any former Act, and with the previous Consent in Writing under the Hand of One of Her Majesty's Principal Secretaries of State, the Committee of Visitors may from Time to Time repeal or alter any of the Stipulations or Conditions of such Agreement, but not so as to subject the Acts of the Committee of Visitors to the Approval or Control of any Court of General or Quarter Sessions, or of any Justices, in any Case not provided for by this Act.

Proportions of Expenses and of Visitors may be varied on any further Union being effected.

XVII. Where any Agreement for uniting has been entered into under this Act or any former Act, and the Union effected thereunder is added to by an Agreement for further Union, the Proportions in which any Expenses are under any former Agreement for Union to be charged on the Counties or Boroughs, or Counties and Boroughs, and

and the Subscribers, if any, uniting, and the Proportions in which Visitors are to be elected for and on behalf of such Counties or Boroughs, or Counties and Boroughs, and Subscribers (if any), may be altered as may be agreed upon.

As to Payment and Application of Money paid towards prior Expenses, or becoming repayable under Agreement for further Union.

XVIII. Where under an Agreement for Union any Money is to be paid towards the Expenses already incurred by any County or Borough in erecting or providing any Asylum, the same shall be paid to the Treasurer of such County or Borough, and shall be applied in Liquidation and Payment, *pro tanto*, of the Monies, if any, which shall have been raised by such County or Borough for the Purposes of this Act or the Acts hereby repealed, or any of them, in such Manner as the Justices of such County at any General or Quarter Sessions for the same, or the Council of such Borough, shall respectively order and direct, or if all such Monies shall have been paid, then the same shall be applied in diminution of any Rate to be made in pursuance of this Act.

Committees of Justices to report Agreement to Quarter Sessions, and the Original to be delivered to Clerk of the Peace of the County or Borough in which the Asylum is situate, and a Copy to Clerk of the Peace of each other County and Borough.

XIX. When any Agreement has been entered into and signed as aforesaid, the Committee for each County and Borough on behalf of which the same has been entered into shall report the same to the Justices of such County or the Recorder of such Borough at the then next General or Quarter Sessions; and the original Agreement shall, at such Sessions for the County or Borough in which the Asylum to which the same relates is situate or is intended to be situate, be delivered to the Clerk of the Peace of such County or Borough, to be by him entered among the Records thereof; and a Copy of such Agreement shall at such Sessions for each other County or Borough on behalf of which such Agreement has been entered into be delivered to the Clerk of the Peace of such County or Borough, to be by him entered among the Records thereof; and a Copy of every such Agreement shall be sent by the Clerk of the Peace to whom the original Agreement is delivered, within Twenty Days after the Delivery thereof to him, to the Commissioners in Lunacy; and any of the Justices of any County or Borough on behalf of which such Agreement has been entered into, and any Commissioner in Lunacy, shall be entitled, without Payment, to inspect the original Agreement so delivered to the Clerk of the Peace as aforesaid; and any Clerk of the Peace hereby required to send to the said Commissioners a Copy of any Agreement, who shall neglect so to do within the Time aforesaid, and any Clerk of the Peace who shall refuse to permit such Inspection as aforesaid, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and this Enactment shall extend and be applicable to and in respect of every Agreement

Agreement by which any of the Stipulations or Conditions in any Agreement entered into under this Act or any former Act shall be repealed or altered.

After Agreement for uniting is reported, Visitors to be elected for carrying same into effect.

XX. When any Agreement for uniting has been entered into, signed, and reported as aforesaid, the Justices of every County to which the same relates shall, at the General or Quarter Sessions to which such Agreement is reported, elect from among the Justices of such County the Number of Visitors allotted to such County in the Agreement; and the Justices of every Borough to which such Agreement relates shall, at a Special Meeting of such Justices to be holden within Twenty Days after such Agreement has been reported to the General or Quarter Sessions for such Borough, elect from among the Justices of such Borough the Number of Visitors allotted to such Borough in the Agreement; and the Majority of such of the Subscribers to any Hospital to which such Agreement relates as shall be present at a Meeting of such Subscribers to be holden within Twenty-eight Days after the signing of such Agreement, and of which Meeting public Notice shall have been given by Advertisement in some Newspaper circulated in the Place in which such Hospital is situate or is intended to be situate, shall elect from among such Subscribers the Number of Visitors allotted to the Subscribers to such Hospital in such Agreement; and the Visitors so elected as aforesaid shall together form and be the Committee of Visitors for carrying such Agreement into effect.

Committee authorized to superintend the Erection of Asylums to be deemed Committee of Visitors.

XXI. Every Committee elected for any County or Borough as herein-before provided, and authorized to superintend the erecting or providing of an Asylum for such County or Borough, shall, until the Election of Visitors or a Committee of Visitors for such County or Borough, or the Asylum thereof, under any of the Provisions herein contained, be deemed the Committee of Visitors for such County or Borough.

Visitors to be elected annually for Asylums.

XXII. At the General or Quarter Sessions to be held next after the Twentieth Day of *December* in every Year the Justices of every County, and at a Special Meeting to be held within Twenty Days after the Twentieth Day of *December* in every Year the Justices of every Borough, having for the Time being an Asylum (whether provided before or after the passing of this Act) either for the sole Use of such County or Borough or under any Agreement for uniting as aforesaid, shall elect some Justices of such County or Borough to be Visitors on behalf of such County or Borough for the said Asylum during the Year next ensuing the Election; and where such Asylum has been provided under any Agreement for uniting entered into with

any

any such Subscribers as aforesaid, the Majority of such of the Subscribers as shall be present at a Meeting to be holden in the Month of *January* in every Year, of which Notice shall have been given by public Advertisement in some Newspaper circulated within the Place in which such Asylum is situate, shall elect some of such Subscribers to be Visitors for such Asylum during the Year then next ensuing; and where such Asylum is for the sole Use of any One County or Borough, the Visitors elected for such County or Borough as aforesaid shall be "the Committee of Visitors" of such Asylum; and where such Asylum has been provided under any Agreement for uniting, the Visitors elected as aforesaid on behalf of every County and Borough, and the Subscribers (if any) to which the Asylum belongs, shall together form and be "the Committee of Visitors" of such Asylum: Provided always, that the Number of the Committee of Visitors of any County or Borough having an Asylum for its sole Use shall not be less than Seven; and that in all other Cases the Number of Visitors to be elected on behalf of every County and Borough, and of any Body of Subscribers, to form and be the Committee of Visitors, shall be the Number provided for in the Agreement.

A separate Committee of Visitors to be appointed for every Asylum.

Proviso.

XXIII. Where any County or Borough has more than One Asylum a separate Committee of Visitors shall be appointed as aforesaid for every such Asylum, each of which Committees shall have all the Powers and be subject to all the Provisions of this Act with regard to the Asylum for which it is appointed, as if it were the only Asylum for that County or Borough: Provided always, that it shall be lawful for the Justices of the County or Borough, if they think fit, with the Approval of One of Her Majesty's Principal Secretaries of State, to appoint the same Committee for Two or more such Asylums.

Meetings of Visitors.

XXIV. The several Persons elected Members of any Committee of Visitors shall within One Month after their Election assemble at some convenient Place to be named in a Notice in Writing given by Two or more of such Visitors, or by the Clerk to the outgoing Committee by the Direction of Two or more of the said Visitors, to the several Members so elected, such Notice to be given to each Member personally, or left at his Place of Abode, or transmitted to him through the Post Office, Seven Days at least before the Time appointed for such Meeting; and the said Visitors may adjourn the said Meeting from Time to Time or from Place to Place, and meet where and as often as they think necessary; and the said Visitors shall at their First Meeting after their Election elect One of their Members to be their Chairman, who shall preside at all Meetings at which he is present; and in case of the Absence of the Chairman from any Meeting the Members of the Committee then present shall elect

Every Committee to elect a Chairman.

elect One of such Members to be Chairman for the Meeting, who shall preside at the Meeting; and to constitute a Meeting of a Committee there shall be present not less than Three Members thereof, except for Adjournment, which may be made by less than Three; and every Question shall be decided by a Majority of Votes (the Chairman, whether permanent or temporary, having a Vote), and in the event of an Equality of Votes on any Question the Chairman for the Time being shall have an additional or casting Vote.

Number of Members to constitute a Meeting.

Questions how to be decided.

XXV. The Clerk of any Committee of Visitors shall, whenever required in Writing by the Chairman or Two of the Visitors, or by the Superintendent of the Asylum, and the Chairman of any such Committee may, whenever he shall see fit, convene a Meeting of such Committee by a Notice in Writing to each Visitor of the Time and Place of such Meeting, such Notice to be delivered, left, or transmitted as aforesaid by such Clerk or Chairman Seven Days at least before the Time appointed for the Meeting.

Clerk, on Requisition of Chairman or Two Visitors or of Superintendent, to call Meetings of Visitors.

Chairman may convene Meetings.

XXVI. Every Committee of Visitors shall appoint a Clerk to such Visitors for the Purposes of this Act, at such Salary or Remuneration as such Visitors think fit, and may, if and when they think fit, remove any Clerk appointed by them, and in any such Case, or in case of the Death or Resignation of any such Clerk, shall appoint a new Clerk; and the Clerk to any Committee of Visitors of any Asylum may also be the Clerk of such Asylum; and any Clerk to any Committee of Visitors shall, unless he sooner die, resign, or be removed, continue in Office so long as such Committee continue in Office.

Visitors to appoint a Clerk.

XXVII. The Powers of any Committee of Visitors and of the Members of such Committee, whether appointed or elected before or after the Commencement of this Act, shall continue until the First Meeting of the Committee by which such first-mentioned Committee is to be succeeded, anything herein contained to the contrary notwithstanding; and if the Justices of any County, or the Justices or Recorders of any Borough, or any Body of Subscribers, neglect in any Year to make such Election or Appointment as required by this Act, then the Committee of Visitors lastly before elected, or the Members of such Committee elected or appointed for such County or Borough, or on behalf of such Body of Subscribers, or such of them as shall continue to act, shall be deemed and taken to be the Committee of Visitors, or to form Part of the Committee of Visitors, as if such Committee or Members had been re-elected or re-appointed in such Year, and so from Time to Time so often as the said Justices, Recorder, or Subscribers so neglect.

Committee of Visitors to continue until First Meeting of new Committee, and in default of Election of new Committee to continue as if re-elected.

Provision for supplying Vacancies in Committees.

XXVIII. In case any Member of any Committee or any Visitor, elected or appointed under this Act or any Act hereby repealed, die, resign, or become incapable to act, the Justices for the County or Borough for which such Member or Visitor was elected or appointed, at any General or Quarter Sessions for such County, or at a Special Meeting of the Justices of such Borough, or where such Visitor was appointed by the Recorder of a Borough, then the Recorder of such Borough, shall elect or appoint some other Justice in his Place; and where any such Member or Visitor has been elected on behalf of any Body of Subscribers, the Majority of such of the said Subscribers as shall be present at some Meeting called in manner provided with respect to the annual Election of Visitors shall elect some other Subscriber in his Place; but, notwithstanding any Vacancy in any Committee, the continuing Members or Visitors may act as if no such Vacancy had occurred.

Continuing Members may act.

Secretary of State may require any County or Borough not having an Asylum to provide one.

XXIX. In case at any Time after the Expiration of One Year from the Commencement of this Act it appear to One of Her Majesty's Principal Secretaries of State, upon the Report of the Commissioners in Lunacy, that any County or Borough has not an Asylum for the Pauper Lunatics thereof, it shall be lawful for such Secretary of State, by Writing under his Hand, to require the Justices of such County or Borough forthwith to provide a fit and sufficient Asylum for so many Pauper Lunatics as upon the Report of the said Commissioners such Secretary of State may think fit and direct, and such Justices shall forthwith proceed as herein-before mentioned to cause such Asylum to be provided: Provided always, that no Borough annexed to any County by virtue of this Act or any former Act, or on behalf of which a subsisting Contract making adequate Provision for the Care of the Pauper Lunatics thereof shall have been entered into under this Act, or which now contributes to any Asylum for the County in which it is situate, and shall not have been separated from such County, shall be required to provide an Asylum under any such Order.

Where Accommodation of existing Asylum is inadequate, additional Asylum to be provided, or existing Asylum enlarged.

XXX. It shall be lawful for the Justices of every County and Borough having an Asylum or Asylums for the Pauper Lunatics thereof, where it appears to such Justices at any General or Quarter Sessions, or (in the Case of a Borough) at any Special Meeting of such Justices, that the Asylum or Asylums of such County or Borough is or are inadequate or unfit for the proper Accommodation of the Pauper Lunatics of such County or Borough, to cause an additional Asylum, or a new Asylum in lieu of any existing Asylum of such County or Borough, to be provided for such County or Borough, in like Manner as herein-before directed in the Case of a County

County or Borough not having an Asylum, or to direct the Committee of Visitors of any existing Asylum to cause the same to be enlarged or improved, or, in any other Case where the said Justices deem it necessary or expedient, to direct the Committee of Visitors of any existing Asylum to improve the same; but it shall not be incumbent on any such Committee under any such Direction as aforesaid to enlarge or improve such Asylum where the same does not belong to One County or Borough alone, without a like Direction from the Justices of every County or Borough to which the same belongs; and in case at any Time it appear to One of Her Majesty's Principal Secretaries of State, upon the Report of the Commissioners in Lunacy, that any existing Asylum or Asylums for any County or Borough is or are inadequate or unfit for the proper Accommodation of the Pauper Lunatics thereof, it shall be lawful for such Secretary of State, by Writing under his Hand, to require the Justices of such County or Borough forthwith to cause an additional Asylum, or a new Asylum in lieu of any existing Asylum, to be provided as aforesaid for such County or Borough, or the Committee or Committees of Visitors of any existing Asylum or Asylums forthwith to enlarge or improve the same, in such Manner as the said Secretary of State may see fit and direct, and the said Secretary of State may require Accommodation to be provided in and by such additional or new Asylum, or by means of the Enlargement of such existing Asylum or Asylums, for so many Pauper Lunatics as upon the Report of the said Commissioners such Secretary of State may think fit and direct; and the said Justices or Committee or Committees shall forthwith carry such Requisition of the said Secretary of State into effect; and the Powers and Provisions in this Enactment contained with respect to the Enlargement and Improvement of Asylums shall extend and be applicable to and for the Enlargement and Improvement of the Offices, Outbuildings, Yards, Courts, Outlets, Ground, Land, and Appurtenances belonging thereto.

When an Asylum or additional Asylum or Accommodation is required, the Visitors to procure and determine on Plans and Estimates, and to contract for the Purchase of Land and Buildings, and for erect-

XXXI. It shall be lawful for any Committee of Visitors having Authority to provide an Asylum for Pauper Lunatics (but subject as herein-after mentioned) to procure, examine, and determine on Plans for the same, and Estimates, and contract for the Purchase of Lands and Buildings (and in the Case of Buildings, either with or without any Fittings-up and Furniture belonging thereto), and for building, erecting, altering, improving, restoring, furnishing, and completing, or otherwise providing such Asylum, and rendering the same in all respects fit and ready for the Reception of Lunatics, and for making, laying out, and completing the Offices, Outbuildings, Yards, Courts, Outlets, Grounds, Land, and Appurtenances of or for such Asylum, and for providing Clothing for Patients, and everything necessary for the

ing, &c. the necessary Buildings.

the opening of any such Asylum; and any Committee of Visitors having Authority to enlarge, alter, or improve any Asylum shall have like Powers for the Purpose of enlarging, altering, or improving such Asylum, or the Offices, Outbuildings, Yards, Courts, Outlets, Grounds, Land, and Appurtenances thereto belonging; and every Person contracting for building or doing any other such Work as aforesaid shall give to the Clerk of such Visitors sufficient Security for the due Performance of the Contract; and every such Contract, either for Purchase of Lands or Buildings, or for doing any such Work as aforesaid, and all Orders relating thereto, shall be entered in a Book to be kept by the Clerk to such Visitors; and when such Asylum and Appurtenances, or (as the Case may be) the Additions to or Alterations or Improvements thereof, are completed, such Book shall be deposited and kept among the Records of the County or Borough, or where more than One County or Borough is interested in such Contract by reason of an Agreement for Union, then among the Records of the County or Borough which has contributed the largest Proportion of the Expenses of such Contract; and every such Book may be inspected at all reasonable Times by any Person contributing to the Rates of the County or Borough, or, in the Case of a Union, to the Rates of any of the Counties or Boroughs, and also, if any Part of such Expenses has been paid by voluntary Subscriptions, by any of such voluntary Subscribers; and a Copy of every such Book shall be kept at the Asylum to which the Contract relates: Provided always, that the said Visitors shall from Time to Time make their Report to the General or Quarter Sessions of the County or Borough, Counties or Boroughs, for which they, or such of them as have not been elected by Subscribers as aforesaid, have been elected, of the several Plans, Estimates, and Contracts which have been agreed upon, and of the Sum or Sums of Money necessary to be raised and levied for defraying the Purchase Monies and Expenses thereof on the County or Borough, or, in the Case of such Union as aforesaid, on each or every of the Counties or Boroughs; which Plans, Estimates, and Contracts shall be subject to the Approbation of the Court or Courts of General or Quarter Sessions of such County or Counties, and of the Justices of such Borough or Boroughs, before the same are completed or carried into execution, save where the Amount to be expended does not exceed an Amount previously fixed by the Court or Courts of General or Quarter Sessions of such County or Counties or by the Justices of such Borough or Boroughs.

Contractors to give Security.

Contracts and Orders to be entered in a Book, to be deposited, and to be open to Inspection.

Visitors to report.

Power to Visitors to purchase in consideration of a Rent reserved.

XXXII. It shall be lawful for any Committee of Visitors to purchase and take a Conveyance for the Purposes of this Act from any Person having absolute Power to sell and convey, independently of this Act, any Lands or Buildings, in consideration of a yearly Rentcharge or annual Sum to be limited to such Person, his Heirs and

and Assigns, or as he or they shall direct, out of the Lands or Buildings to be purchased, and the same shall accordingly be conveyed as aforesaid, subject thereto, and to Powers of Distress and Entry for securing the same.

Power for Visitors to take a Lease for Rent.

XXXIII. It shall be lawful for any Committee of Visitors, instead of purchasing any Land or Buildings which they are hereby authorized to purchase, to take a Lease thereof for any absolute Term of not less than Sixty Years, at such annual Rent and under such Covenants as the said Committee of Visitors think fit; and it shall also be lawful for such Committee to rent any Land by the Year for the Purpose of employing such of the Inmates of the Asylum as may be fit for such Employment, or otherwise for the Occupation and Use of the Patients.

Asylum may be erected beyond the Limits of any County or Borough, and Justices of such County or Borough may notwithstanding act therein.

XXXIV. The Asylum to be provided for any County or Borough, either solely or jointly, may be without the Limits of such County or Borough, and when any Asylum provided or to be provided solely or in part for any County or Borough, or any Part of such Asylum, is situate within the Limits of any other County or Borough, then and in every such Case the Justices of the County or Borough to which such Asylum wholly or partly belongs shall have full Power and Authority to act in such other County or Borough, so far as concerns the Regulation of such Asylum, and the Powers conferred by this Act, in the like Manner as if such Asylum and every Part thereof were situate within such first-mentioned County or Borough.

Assessment to local Rates not to be increased after Purchases for the Purposes of this or any former Act.

XXXV. No Lands or Buildings already or to be hereafter purchased or acquired, under the Provisions of any former Act or this Act, for the Purposes of any Asylum, (with or without any additional Building erected or to be erected thereon), shall while used for such Purposes be assessed to any County, Parochial, or other local Rates at a higher Value or more improved Rent than the Value or Rent at which the same were assessed at the Time of such Purchase or Acquisition.

Certain Provisions of 8 & 9 Vict. c. 18. incorporated, and extended to authorize Exchanges.

XXXVI. The Provisions of "The Lands Clauses Consolidation Act, 1845," "with respect to the Purchase of Lands by Agreement," "with respect to the Purchase Money or Compensation coming to "Parties having limited Interests, or prevented from treating, or not "making Title," and all other Provisions of the said Act applicable to and in the Case of the Purchase of Lands by Agreement, shall be incorporated with this Act; and all Parties by the said Provisions empowered to sell any Lands may give Lands in exchange for the Purposes of this Act for other Lands, and enter into all necessary

Agreements for that Purpose, and on any such Exchange Money may be paid by either Party by way of Equality of Exchange, and the said Provisions "with respect to Purchase Money or Compensation coming "to Parties having limited Interests, or prevented from treating, or not "making Title," shall apply to any Money coming to any such Parties on any such Exchange; and any Lands to be purchased or taken in exchange for the Purposes of this Act shall be conveyed to such Persons, being not less than Five in Number, and in such Manner as the Committee of Visitors purchasing the same or taking the same in exchange may direct, in trust for the Purposes of this Act; and any Conveyance to be so made shall have the like Force and Effect as a Conveyance made under Section Eighty-one of the said Lands Clauses Consolidation Act.

Provision for the Appointment of new Trustees of Land purchased or acquired for Asylum.

XXXVII. When and so often as any Land purchased or acquired under this Act or any former Act, for the Purposes of an Asylum, shall be vested in less than Three Trustees, or there shall not be any Trustee thereof living, it shall be lawful for the Committee of Visitors of such Asylum, or any Three or more of them, by an Instrument in Writing under the Hands of such Visitors or any Three or more of them, to appoint such Number of new Trustees of such Land as such Visitors may think fit; and such Appointment shall be deposited and kept among the Records of the County or Borough, or, where more than One County or Borough is interested in such Land, then among the Records of the County or Borough having the largest Interest therein; and all the Estate and Interest in such Land which at the Time of such Appointment may be vested in any Trustee or Trustees, in trust for the Purposes aforesaid, or in any other Person, as Heir or Devisee, or otherwise, subject to such Trust, shall by virtue of such Appointment vest in the Trustees so appointed, either alone, or if there be any continuing Trustees or Trustee jointly with such continuing Trustees or Trustee, as the Case may require, without any Conveyance or Assignment for that Purpose.

Visitors to order all ordinary Repairs of Asylums, provided they do not exceed 400*l.* per Annum.

XXXVIII. The Committee of Visitors of every Asylum may of their own Authority from Time to Time order all such ordinary Repairs as may be necessary for such Asylum, and any Additions, Alterations, or Improvements to or in such Asylum, or the Offices, Outbuildings, Yards, Courts, Outlets, Grounds, Land, and Appurtenances thereto belonging, which to them may seem necessary or proper for the further or better Accommodation of the Pauper Lunatics who may be received or taken care of therein, provided that the Expense of all such Additions, Alterations, and Improvements shall not exceed Four hundred Pounds in any One Year; and if such Asylum belong

As to Payment of Ex-

belong to One County or Borough only, they shall cause the Expense of such Repairs, Additions, Alterations, or Improvements to be paid by making an Order upon the Treasurer of such County or Borough for the Payment thereof, but if otherwise they shall apportion such Expense in the Proportion in which each County or Borough has contributed to the Erection thereof, or where any other Proportion is fixed by any Agreement for the Time being in force, then in such other Proportion, and where any such Agreement only provides in what Proportion the Expense of Repairs shall be defrayed, the said Committee shall apportion the Expense of such Additions, Alterations, and Improvements in the same Proportion unless it be otherwise provided by such Agreement, and the said Committee shall make an Order on the Treasurer of each County or Borough for the Payment of the Proportion to be paid by such County or Borough, and such Treasurer shall pay the same accordingly out of any Money of such County or Borough then in his Hands, or which may thereafter come to his Hands, not specifically appropriated to any other Purpose, and the same may be recovered from him, for the Benefit of such Asylum, by the Treasurer or Clerk thereof, together with all Costs and Expenses, in any of Her Majesty's Courts at *Westminster*, or in any other Court of competent Jurisdiction: Provided always, nevertheless, that no Order for any such Repairs, Additions, Alterations, or Improvements as aforesaid, or for the Payment of any Money for the Expenses thereof, where such Expenses exceed the Sum of One hundred Pounds, shall be made, unless Notice of the Meeting at which the same shall be ordered, and of the Intention to determine thereat the Question of such Expenditure, have been given in such Manner and so long before the Time appointed for the Meeting as is hereinbefore provided with respect to Notices of Meetings of Committees of Visitors, nor unless Three Visitors concur in and sign such Order: Provided also, that where any such Expenditure as aforesaid is incurred otherwise than for ordinary Repairs, the Visitors shall report the same to the next General or Quarter Sessions of the County or Borough, or each County and Borough, on behalf of which such Expenditure has been incurred.

penses of Repairs, &c.

No Order for Payment of Money exceeding 100*l.* to be made unless Notice has been given of the Meeting at which the same shall be ordered.

XXXIX. It shall be lawful for every Committee of Visitors, with the Consent of One of Her Majesty's Principal Secretaries of State under his Hand, to determine and dissolve any Union, whether such Union have been formed under this Act or under any former Act, and upon such Dissolution to divide and allot the Lands, Buildings, Hereditaments, Chattels, Monies, and Effects of or belonging to such Union between or among every such County and Borough, and the Subscribers (if any) between which and whom such Union existed, in the Proportions in

Power of Visitors, with Consent of Secretary of State, to dissolve Unions.

in which they respectively have contributed thereto or are interested therein, or in such other Proportions and Manner as the said Visitors, with the Approbation of the said Secretary of State, think fit; and if on any such Division or Allotment there cannot be conveniently allotted to any County or Borough or Subscribers the proper Proportion of such County, Borough, or Subscribers in the Lands, Buildings, Hereditaments, Chattels, Monies, and Effects of such Union, there shall be paid to such County, Borough, or Subscribers such Sum of Money as the said Visitors, with the Approbation of the said Secretary of State, may direct, in full or in part Satisfaction, as the Case may require, of the aforesaid Proportion of such County, Borough, or Subscribers; and every such Sum of Money shall be raised by the County or Counties, Borough or Boroughs, to or between or among which the Lands, Buildings, Hereditaments, Monies, Chattels, and Effects of the said Union shall be allotted (if more than One) in such Shares as the said Visitors, with the Approbation of the said Secretary of State, think fit, in the same Manner and by the same Means as other Monies are appointed to be raised by Counties or Boroughs for the Purposes of this Act: Provided always, that no Union shall be so dissolved by any Committee of Visitors except under a Resolution of such Committee at a Meeting specially convened for the Purpose of determining the Question of such Dissolution by a Notice given in such Manner and so long before the Time appointed for such Meeting, as is herein-before provided with respect to Notices of Meetings of Committees of Visitors, nor unless the Majority of the whole Number of the Committee of Visitors shall at such Meeting have concurred in such Resolution: Provided always, that in the Case of a Dissolution of Union, where any County or Borough having an Asylum shall be united with any County or Counties, Borough or Boroughs, not having an Asylum, and have erected additional Buildings and incurred any other Expense for their Benefit, and be in the Receipt of an annual fixed Sum or Rent as a Remuneration for the Expenses so incurred in lieu of the Payment of a Sum in gross, it shall be lawful for the said County or Counties, Borough or Boroughs, so paying such Rent, if they shall think fit, to raise, in the same Manner as is provided in the Act for the Purpose of erecting County Asylums, such a Sum of Money for the Purpose of compensating the County or Borough receiving such Rent for the Cessation of such Rent as may be agreed upon and approved of by the Committee of Visitors of such County or Counties, Borough or Boroughs, as may have been so united as aforesaid.

Power for Visitors, with Consent of Secretary

XL. It shall be lawful for every Committee of Visitors, with the previous Consent of One of Her Majesty's Principal Secretaries of State under his Hand, to sell, either by Public Auction or Private Contract,

Contract, and subject to any Conditions, any Lands or Buildings or Parts of Lands or Buildings which may have belonged to and been used as or together with an Asylum, or which may have been purchased or otherwise acquired under any former Act or this Act, for the Purposes of an Asylum, and found unsuitable or otherwise not required for such Purposes, or to give the same in exchange for other Lands or Buildings, and to pay or receive through the Treasurer of such Asylum any Money by way of Equality of Exchange; and every Conveyance of Lands or Buildings so sold or given in exchange which shall be executed by the Persons in whom the same may then be vested as Trustees, or by any Three of the Members of the Committee of Visitors who sell the same, shall be effectual to convey the same for all the Estate or Interest then vested in such Trustees, in trust for the Purposes of such Asylum, and the Receipt of any Three of the Committee of Visitors shall be a sufficient Discharge for the Purchase Monies or for any Monies to be received for Equality of Exchange; and such Monies, in case the Sale or Exchange be made by a Committee of Visitors of any One County or Borough alone, shall be applied in carrying into execution the Powers and Purposes of this Act, or shall be paid to the Treasurer of such County or Borough, and be applied for the general Purposes thereof, or otherwise, as the Justices of such County or Borough shall, at some General or Quarter Sessions for such County, or at some Special Meeting of the Justices of such Borough, direct; and in every other Case the Monies received shall be paid to the Treasurer of the County, Borough, or Subscribers to which or to whom the Property sold or exchanged belonged, in case it belonged to any One of them, or if the same was joint Property then to the respective Treasurers of every County and Borough, and of the Subscribers, if any, in the Proportion in which such County, Borough, and Subscribers were respectively interested therein; and such Monies shall be held and applied by every such Treasurer, in the Case of a County or Borough, as Part of the general Rates or Funds of such County or Borough, and in the Case of any Subscribers, as the Majority of such of the Subscribers as shall be present at any Meeting convened for that Purpose shall direct.

of State, to sell or exchange Lands and Buildings.

Application of Purchase Monies.

XLI. Where any Committee of Visitors have (either before or after the passing of this Act) contracted for the Purchase of any Lands for the Purposes of an Asylum, or for any Exchange of any Lands for other Lands for such Purposes, and the Lands so contracted to be purchased or taken in exchange are found to be unsuitable or are not required for such Purposes, such Committee, or any other Committee appointed in their Place, may, with the Consent in Writing of One of Her Majesty's Principal Secretaries of State, (notwithstanding such

Visitors may, with Consent of Secretary of State, get released from Contracts.

Contract may have been approved as required by the said Acts hereby repealed, or this Act,) procure a Release from the said Contract, and in consideration of such Sum of Money (if any) as the said Committee, with such Consent as aforesaid, may agree to pay; and the said Committee or any Three of such Committee may, in consideration of such Release, execute a Release to the other Party to such Contract or other the Persons bound thereby; and the Consideration Money (if any) by the said Committee agreed to be paid as aforesaid, and all Expenses in relation to the said Contract and Releases, shall be paid, defrayed, and raised in like Manner as if the same were payable in respect of the Purchase of Lands for the Purposes aforesaid.

Visitors empowered to contract for the Reception of Pauper Lunatics into Asylums of other Counties or Hospitals or licensed Houses.

XLII. It shall be lawful for every Committee of Visitors to contract with the Committee of Visitors of any Asylum, or with the Subscribers to any Hospital registered or the Proprietor of any House licensed for the Reception of Lunatics, for the Reception into such Asylum, Hospital, or House of the whole or of a Portion of the Pauper Lunatics of the County or Counties, Borough or Boroughs, or Counties and Boroughs, or any of them respectively, for which such first-mentioned Committee is acting, or for the Use and Occupation of all or any Part of such registered Hospital or licensed House, at such Sum, either in gross or by way of annual or other periodical Payment or Rent, and under and subject to such Terms, Stipulations, and Conditions, as such Visitors shall think fit; and it shall be lawful for the Committee of Visitors of any Asylum, or the Subscribers to any registered Hospital, or the Proprietor of any licensed House, to contract with any Committee of Visitors accordingly: Provided always, that no such Contract shall be made for any longer Period than for the Term of Five Years, and that any such Contract may be determined by Notice in Writing under the Hand of One of Her Majesty's Principal Secretaries of State, and that every such Contract with the Proprietor of a licensed House shall determine on such House ceasing to be duly licensed for the Reception of Lunatics; provided also, that no such Contract shall exempt the Justices of any County or Borough or any Committee from the immediate Duty and Obligation of erecting or providing, or uniting in erecting or providing, an Asylum or additional Asylum, or of enlarging or improving any Asylum, as required by this Act, where One of Her Majesty's Principal Secretaries of State has caused Notice to be given as aforesaid for the Determination of such Contract, although the Term for which such Contract was entered into has not expired by Effluxion of Time: Provided also, that any Money which may be payable under such Contract for the Reception of the Lunatics of any County or Borough into any Asylum beyond the weekly Sums which may be charged under this Act for the

Period of such Contract limited.

As to Money payable under Contract for Reception of

the Lodging, Maintenance, Medicine, Clothing, and Care of Lunatics in the Asylum belonging to the County or Borough to which such Lunatics shall belong, shall be paid, defrayed, and raised by such County or Borough out of any Monies in the Hands of the Treasurer for the County which shall be applicable for the Repairs or other ordinary Expenses of such Asylum; provided also, that any Hospital or licensed House with the Subscribers or Proprietor of which any such Committee so contract as aforesaid shall be subject to the Visitation of any of the Members of such Committee for the Time being.

Lunatics into any Asylum.

XLIII. Whenever it appears to the Committee of Visitors of any Asylum that such Asylum is more than sufficient for the Accommodation of all the Pauper Lunatics of the County or Borough or each County and Borough to which the same wholly or in part belongs, and of any County or Counties, Borough or Boroughs with which any existing Contract for the Reception of all or any of the Pauper Lunatics thereof in such Asylum has been entered into, or which shall otherwise contribute to such Asylum, it shall be lawful for the Committee of Visitors, if they think fit, to give Notice thereof by Advertisement in some Newspaper commonly circulated in such County or Borough, or every such County or Borough as aforesaid, and (subject nevertheless and without Prejudice to any Agreement with any voluntary Subscribers,) by a Resolution of the said Committee, to permit the Admission of so many Pauper Lunatics of any other County or Borough, and (if such Committee think fit) Lunatics not Paupers, but who, in the Opinion of such Committee, may be proper Objects to be admitted into a public Asylum, as to such Committee may seem expedient, and at any Time to rescind or vary any such Resolution; and such Committee may, if they think fit, by such Resolution require that no Pauper Lunatic shall be admitted into such Asylum thereunder without an Undertaking by the Minute of the Guardians of the Union or Parish, or signed by Two of the Overseers of the Parish, to which such Lunatic is chargeable, or in the Case of a Lunatic not a Pauper by the Person signing the Order for the Admission of such Lunatic, for the due Payment of the weekly Charge for the Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic during his Continuance in such Asylum, and of the Expenses of his Burial in case he die therein, as well as for the Removal of such Lunatic from such Asylum within Six Days after due Notice given in Writing by the Superintendent of such Asylum; and such Lunatic not being a Pauper shall have the same Accommodation in all respects as the Pauper Lunatics.

When any Asylum can accommodate more than the Lunatics of the County or Borough, Visitors may order the Admission of other Lunatics.

XLIV. No Visitor of any Asylum shall have or take, or be capable of having or taking, any Interest or Concern whatsoever, either in his own Name or in the Name of any other Person, in any Contract

No Visitor to have any Interest in any Contract or Agreement.

Contract or Agreement to be made under the Authority of this Act, or in anywise relating to or connected with such Asylum, or shall, for any Design or Plan he may deliver or produce, receive any Benefit or Emolument whatever, or otherwise have or take any Benefit or Emolument whatsoever from or out of the Funds of the Asylum: Provided always, that this Enactment shall not extend to any such Interest, Benefit, or Emolument which any Visitor may have or derive by reason of his being a Shareholder of any Joint Stock Company established by Act of Parliament or by Charter, with which any Contract may be entered into on behalf of such Asylum, or which may otherwise receive any Benefit or Emolument out of the Funds of the Asylum; provided that no Contract or Dealing between such Company and the Visitors of such Asylum be at or upon Rates or Terms more advantageous to such Company than in the Case of Contracts or Dealings by such Company with other Parties.

Plans, &c. to be submitted to Commissioners in Lunacy, and approved by Secretary of State.

XLV. Every Committee of Justices or Visitors shall submit all Agreements for uniting for the Purposes of this Act, and all Contracts under this Act, for the Reception of the Pauper Lunatics of any County or Borough, or any of them, into any Asylum, registered Hospital, or licensed House, or for the Use and Occupation of all or any Part of any such Hospital or licensed House, and all Plans for building or providing or enlarging or improving any Asylum for Pauper Lunatics, and all Contracts for Purchases of Lands or Buildings for any such Purpose, to the Commissioners in Lunacy, who shall make such Inquiries in reference thereto, and to the Amount of the Accommodation requiring to be provided, as they may deem proper, and shall report thereon in Writing to One of Her Majesty's Principal Secretaries of State, and such Committee shall submit to One of such Secretaries of State Estimates of the Cost and Expense of carrying into execution such Plans, and no such Agreement, Contract, or Plan shall be carried into effect until the same has been approved by such Secretary of State in Writing under his Hand.

How Monies to be raised for providing Asylums.

Provisions for raising Monies required for the Purposes of this Act by County and Borough Rates.

XLVI. In order to pay and defray the Monies, Costs, and Expenses payable for any of the Purposes of this Act or the said Acts hereby repealed by any County, the Justices of such County at any General or Quarter Sessions for the same may and shall assess and tax a General County Rate or Rates upon such County, and may and shall fix a Sum or Rate to be contributed by all Places whatsoever within such County, (other than any Borough being within such County or by this Act for the Purposes thereof annexed thereto,) and whether such Places be or be not liable to contribute to an ordinary County Rate; and in order to pay and defray the Monies, Costs,

Costs, and Expenses payable as aforesaid by any Borough, the Council of such Borough may and shall assess a General Borough Rate in the Nature of a County Rate upon such Borough, and the said Rates shall be collected, levied, and recovered in the same Manner, and by the same Powers, Authorities, Ways, and Means, and under the same Penalties, as any ordinary Rate for such County or Borough respectively may by Law be collected, levied, and recovered; and the Monies, Costs, and Expenses to be paid and contributed by any County or Borough for the Purposes of this Act shall be paid by the Treasurer of such County or Borough, out of the Rates aforesaid, to the Treasurer of the Asylum to which such County or Borough shall either alone or jointly pay or contribute: Provided always, that it shall be lawful for the Council of any Borough, if they think fit, to direct that any Monies payable for the Purposes of this Act, or any Part thereof, shall be paid out of the Borough Fund of such Borough, and such Monies shall be paid by the Treasurer of such Borough out of such Fund accordingly.

Power for Justices of Counties and Councils of Boroughs to raise Money by Mortgage of the Rates.

XLVII. It shall be lawful for the Justices of every County in General or Quarter Sessions assembled, or the major Part of them, such major Part not being less than Five, and for the Council of every Borough, from Time to Time to borrow and take up on Mortgage of the Rates to be made under this Act for such County or Borough, or on Mortgage of such Rates together with all other Rates or Funds, or any of them, of the same County or Borough, all or any of the Monies required for paying and defraying any such Monies, Costs, and Expenses, as aforesaid, payable by such County or Borough; and such Money may be so raised at any Rate of Interest not exceeding Five Pounds *per Centum per Annum*, and every such Mortgage may be made by an Instrument in the Form contained in the Schedule B. hereunto annexed, or to that or the like Effect, and shall be executed in the Case of a County by the Chairman, and Two or more other Justices present at the Time of making such Mortgage, and in the Case of a Borough by affixing the Common Seal of the Borough thereto; and every such Mortgage shall be effectual for securing to the Person advancing the Sum of Money in such Mortgage expressed to be advanced, his Executors, Administrators, and Assigns, the Repayment thereof, with Interest for the same, after such Rate and at such Time and in such Manner as in such Mortgage provided; and the said Mortgages shall be numbered in the Order of Succession in which they are granted; and Copies or Extracts of all such Mortgages shall be kept by the Clerk of the Peace, or other proper Officer having the Custody of the Records of the Quarter Sessions of such County or of the Records of such Borough, as the Case may be; and every Person to whom any such

Mortgage has been made under the Act hereby repealed or any former Act, or is made under this Act, his Executors or Administrators, is hereby empowered, by endorsing his or their Name or Names on such Mortgage, to transfer the same, and his and their Right to the Principal Money and Interest thereby secured, unto any Person, and every Assignee under this Act or any former Act of any such Mortgage, his Executors and Administrators, may in like Manner transfer the same again, and so *toties quoties;* and the Persons to whom such Mortgages or such Transfer thereof are made, their Executors and Administrators, shall be Creditors upon the Rates and Funds thereby expressed to be mortgaged in an equal Degree one with another, and shall not have any Preference or Priority other than is provided under the Powers of this Act.

Power to Public Works Loan Commissioners to lend Money for Purposes of this Act.

XLVIII. It shall be lawful for the Justices and Council of any County and Borough respectively to make Application for any Advance of any Sum necessary for the Purposes of this Act, or the said Acts hereby repealed, to the Commissioners acting in the Execution of an Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Twenty-three, "to authorize for a "further Period the Advance of Money out of the Consolidated "Fund to a limited Amount for carrying on Public Works and "Fisheries, and Employment of the Poor," and any Act or Acts amending or continuing the same, and the said Commissioners are hereby empowered, if they think fit, to make such Advance upon the Security of such Mortgage as aforesaid.

Provision for the Payment of the Interest on the Mortgages, and of a Portion of the Principal in each Year.

XLIX. The said Justices or Council, as the Case may be, shall in every Year charge the Rates or Funds of such County or Borough with the Sum for the Time being required to pay the Interest of the Money borrowed on any Mortgages under this Act or any former Act, or such of them as for the Time being remain unpaid, and also with the Payment of a further Sum, not less than One Thirtieth Part of the whole of such Mortgages at the Time of the same being first made, and such Sums shall be applied under the Direction of the said Justices or Council in discharge of the Interest on the said Mortgages or such of them as for the Time being remain unpaid, and of so many of the Principal Sums owing on the said Mortgages for the Time being remaining unpaid, as such Sums after Payment of the Interest as aforesaid will extend to discharge, until the whole of the Principal Monies for which such Mortgages shall have been made, and the Interest thereof, shall be fully paid and discharged; and the said Justices and Council, as the Case may be, are and is hereby required to fix One or more Days in each Year on which such Payment shall be made, and shall make Orders for Assessments in due Time, so as to provide

provide for such Payments being regularly made; and the said Justices or Council, as the Case may be, shall, by Agreement with the Parties, or others advancing any Money for the Purposes of this Act, determine the Order or Priority in which the several Sums advanced shall be respectively discharged; and the Justices of every County and the Council of every Borough so borrowing Money on Mortgage as aforesaid are and is hereby required to appoint a proper Person to keep an exact and regular Account of all Receipts and Payments in respect of Principal Monies borrowed or taken up as aforesaid under this Act or any former Act, and the Interest thereof, in a Book or Books separate and apart from all other Accounts, and the said Book and Books, duly adjusted and settled up to the Time being, to deliver annually, in the Case of a County into Court at some General or Quarter Sessions for such County, and in the Case of a Borough to the Council of the Borough, at such Time as such Council shall appoint; and the Justices for every such County at such Sessions, and the Council for every such Borough, are and is hereby required carefully to inspect all such Accounts, and to make such Orders for carrying the several Purposes aforesaid into execution as to them shall seem meet.

Provision to be made for paying Money borrowed within a limited Time not exceeding Thirty Years.

L. Provided always, That the Justices of every County and the Council of every Borough borrowing Money as aforesaid shall make Provision by means of the Rates which they are hereby respectively authorized to make, and by the Orders and Directions which they are hereby authorized to give, that the whole Principal Money to be borrowed under the Authority of this Act by such County or Borough, and all Interest for the same, shall be fully paid and discharged within a Time to be limited by such Justices or Council, not exceeding Thirty Years from the Time of borrowing the same.

Persons lending Money on Mortgage of Rates, &c. not bound to give Proof that Notices have been given, &c.

LI. No Person lending Money to any Justices of any County or the Council of any Borough, and taking a Mortgage for securing Repayment of the same, executed in manner directed by this Act, and purporting to be made under the Authority of this Act, shall be bound to require Proof that the several Provisions of this Act or of any former Act or Acts have been duly complied with; and if there be an Order of the Justices of any County in General or Quarter Sessions, or of the Council of any Borough making Application for the Loan, and any Mortgage have been thereupon duly executed, either before or after the passing of this Act, as by any Act then in force or this Act is provided, the Justices or Council (as the Case may be) shall have and be deemed to have had full Power to levy the Rates so mortgaged for Repayment of the Money so borrowed, with

with Interest, notwithstanding that the Provisions of this Act or any former Act or Acts may not have been complied with; and it shall not be competent to any Ratepayer or other Person to question the Validity of any such Rate or Mortgage on the Ground that such Provisions had not been complied with.

Power to raise Money to pay off Sums already borrowed.

LII. Provided also, That in every Case in which any Monies have been borrowed under the Powers of any former Act or this Act, it shall be lawful for the Justices of the County or Council of the Borough for which such Monies shall have been borrowed, (with the Consent of the Parties to whom the same shall be owing,) to pay off the Monies so borrowed, and to raise and borrow the Monies necessary for that Purpose, and also to repay the said last-mentioned Monies and the Interest thereof, under the Powers of this Act, as if such Monies were borrowed under the Powers herein-before contained; but so, nevertheless, that all Monies borrowed shall be discharged within Thirty Years from the Time of first borrowing the same.

Regulation and Management of Asylums, and Appointment of Officers.

Visitors to submit General Rules to the Secretary of State, and, subject to such General Rules, to make Regulations and determine Diet of Lunatics.

LIII. Every Committee of Visitors shall, within Twelve Months after the passing of this Act, in the Case of every Asylum already established, and General Rules for the Government whereof have not been already submitted to One of Her Majesty's Principal Secretaries of State, and within Twelve Months after the Completion of every Asylum hereafter established, submit the existing General Rules, or General Rules to be prepared by such Committee, for the Government of the Asylum under their Superintendence to One of Her Majesty's Principal Secretaries of State for his Approval; and such Rules, when approved by him, shall be printed, abided by, and observed; and every such Committee shall have Power, with the like Approbation, to alter and vary such Rules from Time to Time as they think necessary; and every such Committee shall make from Time to Time such Regulations and Orders as they think fit, not inconsistent with the General Rules for the Time being in force for the Management and Conduct of the Asylum, and in such Regulations there shall be set forth the Number and Description of Officers and Servants to be kept, the Duties to be required of them, and the Salaries to be paid to them respectively; and every such Committee shall from Time to Time determine the Diet of the Patients; and in and by such Regulations such Committee may direct that any Number of Beds in such Asylum, and in such respective Parts thereof as such Committee may think fit, shall be always reserved for such Cases as in and by such Regulations shall be in this Behalf mentioned; and in such Case such Asylum shall for the Purposes of this Act, as respects the Admission of all Cases not within the Description

Description or Class for which such Beds are reserved, be deemed full when there are no vacant Beds in such Asylum except those so reserved, but nevertheless it shall be in the Power of the Committee of Visitors of such Asylum for the Time being to fill the Beds so reserved as they may deem expedient; and any such Committee may, if they see fit, by any such Regulations or Order, exclude from Admission into the Asylum Persons afflicted with any Disease or Malady which such Committee may deem contagious or infectious, and Persons coming from any District or Place in which any such Disease or Malady may be prevalent.

Visitors to fix weekly Rate to be paid for Maintenance of each Lunatic, not to exceed 14*s.* per Week.

LIV. Every Committee of Visitors shall fix a weekly Sum to be charged for the Lodging, Maintenance, Medicine, Clothing, and Care of each Pauper Lunatic confined in such Asylum, of such Amount that the same may be sufficient to defray the whole Expense of the Lodging, Maintenance, Care, Medicine, and Clothing, and other Expenses requisite for each Pauper Lunatic, and that the total Amount of such weekly Sums, after defraying such Expenses, may also be sufficient to pay the Salaries of the Officers and Attendants, and such Committee may from Time to Time alter the Amount of such weekly Sum as Occasion may require; provided always, that any such Committee may, if they think fit, fix a greater weekly Sum to be charged as aforesaid in respect of Pauper Lunatics other than those sent to such Asylum from or settled in some Parish or Place situate in any County or Borough to which such Asylum belongs; provided also, that such Sum shall in no Case exceed the Rate of Fourteen Shillings *per* Week; but if the aforesaid Rate of Fourteen Shillings be found insufficient for the Purposes aforesaid, it shall be lawful for the major Part of the Justices of the County or Borough, or of each County or Borough to which such Asylum may belong, present at any General or Quarter Sessions for such County, or at a Special Meeting of the Justices of such Borough, or each such County or Borough respectively, to make such Addition to such Rate as to them respectively shall seem fit and necessary, and to make an Order or Orders accordingly, which Order or Orders shall be signed by the Clerk of the Peace for the County, or Clerk to the Justices for the Borough, and forthwith published in some Newspaper commonly circulated within such County or Borough.

If the Rate be found insufficient, Justices in Quarter Sessions may increase it.

Visitors to appoint a Chaplain.

LV. The Committee of Visitors of every Asylum shall appoint a Chaplain for the same, who shall be in Priest's Orders, and shall be licensed by the Bishop of the Diocese, and the Licence of any such Chaplain as aforesaid shall be revocable by the Bishop whenever he shall think fit; and such Chaplain, or his Substitute approved by the Visitors, shall perform and celebrate, in the Chapel of or in some convenient

Place within or belonging to such Asylum, Divine Service according to the Rites of the Church of *England* as established by Law, on every *Sunday*, *Christmas Day*, and *Good Friday*, and shall also perform and celebrate such Service within the said Asylum at such other Times, and also such other Services according to the Rites of the Church of *England* as established by Law at such Times, as the Visitors shall direct; and if any Patient be of a religious Persuasion differing from that of the Established Church, a Minister of such Persuasion, at the special Request of such Patient or his Friends, shall, with the Consent of the Medical Officer of such Asylum, and under such Regulations as he shall direct, be allowed to visit such Patient at proper and reasonable Times; and the Committee of Visitors of every Asylum shall appoint a Medical Officer, who shall be resident in such Asylum, and who shall not be Clerk or Treasurer of such Asylum, and a Clerk and Treasurer, and such other Officers and Servants for the Asylum as the Committee may think fit; and the Committee shall have Power to remove the Chaplain, Medical Officer, Clerk, and Treasurer, or any other Officer or Servant, and shall from Time to Time, upon every Vacancy, by Death, Removal, or otherwise, in the Office of the Chaplain, Medical Officer, Clerk, or Treasurer of the Asylum, appoint some other Person to such Office, subject to the Conditions and Restrictions affecting the original Appointment to such Office, and may from Time to Time fill up or not, as in their Discretion they may think fit, Vacancies among other Officers and Servants of the Asylum; and the Committee shall, if they think fit, have Power to appoint a Visiting Physician or Surgeon to every such Asylum, and shall from Time to Time appoint the Medical Officer or One of the Medical Officers (if more than One) of the Asylum, or where there is a separate Medical Officer of each Division, then the Medical Officer or One of the Medical Officers (if more than One) of each Division, to be the Superintendent of the Asylum or of such respective Division thereof, and may remove any such Officer from being such Superintendent, and such Superintendent shall be resident in the Asylum; and the Committee shall from Time to Time fix the Salaries and Wages to be paid to the Officers and Servants of the Asylum: Provided always, that it shall be lawful for the said Committee, with the Sanction and Approbation of One of Her Majesty's Principal Secretaries of State, to appoint any Person other than such Medical Officer to be such Superintendent: Provided also, that where, on the Tenth Day of *February* One thousand eight hundred and fifty-three, any Person, other than a resident Medical Officer, was the Superintendent of any Asylum, such Person may continue to be such Superintendent as if this Act had not been passed, unless and until the Committee otherwise direct.

Patients allowed the Visits of any Minister of their own Persuasion.

Visitors to appoint Medical Officer, Clerk, and Treasurer, and such other Officers and Servants as they think fit.

LVI. The

LVI. The Clerk of every Asylum shall, within One Week after the Dismissal for Misconduct of any Nurse or Attendant employed in such Asylum, transmit to the Commissioners in Lunacy, by the Post, Information in Writing under his Hand of such Dismissal, and of the Cause thereof; and every such Clerk neglecting to transmit such Information to the said Commissioners within One Week after the Dismissal of any such Nurse or Attendant shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Clerk of Asylum to transmit to Commissioners in Lunacy Information of Dismissal of Attendants.

LVII. In case any Superintendent, Chaplain, Matron, or any Officer or Servant of any Asylum, become, from confirmed Sickness, Age, or Infirmity, incapable of executing the Office in Person, or have been an Officer or Servant in the Asylum for not less than Twenty Years, and be not less than Fifty Years of Age, it shall be lawful for the Committee of Visitors of such Asylum, if in their Discretion they think fit so to do, but not otherwise, to grant to such Superintendent, Chaplain, Matron, or other Officer or Servant such Annuity by way of Superannuation as they in their Discretion think proportionate to the Merits and Time of Service of such Superintendent, Chaplain, Matron, or other Officer or Servant (whether incapable from Sickness, Age, or Infirmity, or retiring from long Service and Age), and every such Annuity shall be payable out of the Rates lawfully applicable to the building or repairing of such Asylum: Provided always, that the annual Amount paid by way of Superannuation to any retired Superintendent, Chaplain, Matron, or other Officer or Servant of any Asylum shall not exceed the Amount of Two Thirds of the Salary payable at the Time of his or her Retirement, and that no such Superannuation shall be granted unless Notice of the Meeting at which the same shall be granted, and of the Intention to determine thereat the Question of such Superannuation, have been given, in such Manner and so long before the Time appointed for such Meeting as is hereinbefore provided with respect to Notices of Meetings of Committees of Visitors, nor unless Three Visitors concur in and sign the Order granting the same.

Visitors may grant Superannuations to the Superintendent, &c., not exceeding Two Thirds of their Salaries.

LVIII. The Clerk of every Asylum shall keep all Books, Documents, and Instruments which the Visitors of the Asylum are required to keep or direct to be kept, and shall also keep an Account of all Monies received or paid on account of the Asylum, either to or by the Treasurer of the Asylum or otherwise, and shall in the Month of *March* in every Year send an Abstract of such Account for the Year previous ending on the Thirty-first day of *December* to One of Her Majesty's Principal Secretaries of State, and to the Clerk or Clerks of the Peace of the County or Borough, or of each County

Clerk of the Asylum to keep Account of Monies paid and received, and send Abstract thereof annually to Secretary of State and Commissioners in Lunacy.

County or Borough, to which the Asylum shall belong, and also to the Commissioners in Lunacy, such Abstract to contain such Particulars and be in such Form as the Commissioners in Lunacy may direct; and such Commissioners shall, within One Month from the Receipt of such Abstract, cause a Copy thereof to be laid before both Houses of Parliament.

Treasurer to keep Accounts.

LIX. The Treasurer of every Asylum shall keep Accounts of all Monies received and paid by him.

Visitors to audit Accounts.

LX. The Committee of Visitors of every Asylum shall, previously to the Month of *March* in every Year, audit the Accounts of the Treasurer and Clerk of such Asylum, and shall report the same to the next General or Quarter Sessions of the County or each of the Counties, and to the Council of the Borough or each of the Boroughs, to which the Asylum wholly or in part belongs.

Two Visitors at least to visit once in every Two Months every Asylum.

LXI. Not less than Two Members of every Committee of Visitors shall together, once at the least in every Two Months, inspect every Part of the Asylum of which they are Visitors, and see and examine, as far as Circumstances will permit, every Lunatic therein, and the Order and Certificate for the Admission of every Lunatic admitted since the last Visitation of the Visitors, and the General Books kept in such Asylum, and shall enter in a Book to be kept for that Purpose any Remarks which they may deem proper in regard to the Condition and Management of such Asylum and the Lunatics therein, and shall sign such Book upon every such Visit.

Annual Reports to be made by Committees of Visitors to Justices at Quarter Sessions, &c., and Copies sent to Commissioners in Lunacy.

LXII. The Committee of Visitors of every Asylum shall in every Year lay before the Justices of every County and Borough to which such Asylum wholly or in part belongs, at the Court of General or Quarter Sessions to be holden next after the Twentieth Day of *December* in every Year for such County, or at a Special Meeting of the Justices of such Borough to be holden within Twenty Days after the Twentieth Day of *December* in every Year, a Report in Writing of the State and Condition of such Asylum, and as to its Sufficiency for the proper Accommodation of the Number of Lunatics for whom it may be requisite to provide Accommodation, and as to the Management of such Asylum, and the Conduct of the Officers and Servants thereof, and the Care of the Patients therein, and such Committee may in such Report make such Remarks or Observations in relation to any Matters connected with such Asylum as they may think fit; and the Clerk to such Committee shall transmit a Copy of such Report to the Commissioners in Lunacy, and if any such Clerk neglect so to do for Twenty-one Days after the laying of

of such Report before the Justices of any County or Borough, he shall for such Offence forfeit any Sum not exceeding Ten Pounds.

Lists of Pauper Patients in Asylums to be made half-yearly and laid before Visitors, and Copies transmitted to Clerks of the Peace and Commissioners in Lunacy.

LXIII. The Clerk of every Asylum shall, on the First Day of *January* and the First Day of *July* in every Year, prepare a List of all Pauper Lunatics then in such Asylum, according to the Form in Schedule (C.) No. 1. to this Act annexed, and within Fifteen Days after such List shall have been prepared One Copy thereof shall be laid by such Clerk before the Visitors of the Asylum, and another shall be transmitted by him to the Clerk of the Peace of every or any County and to the Clerk to the Justices of every or any Borough to which such Asylum solely or jointly belongs, to be by him laid before the Justices of such County or Borough, and another Copy of such List shall within the same Time be transmitted by such Clerk to the Commissioners in Lunacy; and the Clerk of every Asylum receiving private Patients shall also on the First Day of *January* and First Day of *July* in every Year prepare a List containing the Christian Names and Surnames of all the private Patients in such Asylum in the Form in Schedule (C.) No. 2. to this Act annexed, and shall within Fifteen Days after such List shall have been prepared transmit the same to the Commissioners in Lunacy; and shall also within the same Time transmit to such Clerk of the Peace and Clerk to the Justices as aforesaid, for the Purposes aforesaid, a Certificate under his Hand of the Number of such private Patients of each Sex.

Lists of private Patients to be sent half-yearly to the Commissioners.

Clerks of Boards of Guardians, and Overseers where no Guardians, to make annual Returns of Pauper Lunatics.

LXIV. The Clerk of the Board of Guardians of every Union, and of every Parish under a Board of Guardians, and the Overseers of every Parish not in a Union nor under a Board of Guardians, shall, on the First Day of *January* in every Year, or as soon after as may be, make out and sign a true and faithful List of all Lunatics chargeable to the Union or Parish in the Form in Schedule (D.) hereunto annexed, and shall, on or before the First Day of *February* next succeeding, lay One Copy of such List before the Visitors of the Asylum, or before the Visitors of each Asylum (if more than One) of the County or Borough in which such Union or Parish is situate, and shall transmit One Copy of such List to the Clerk of the Peace of the County, or the Clerk to the Justices of the Borough within which the Union or Parish to which each such Lunatic is chargeable is situate, to be by him laid before the Justices acting for such County at their next General or Quarter Sessions, or before the Justices of such Borough, and another Copy of such List to the Commissioners in Lunacy, and another Copy thereof to the Poor Law Board; and any such Clerk or Overseer neglecting to make out and sign such List, or to transmit Copies

 thereof,

thereof, as herein directed, shall for every such Offence forfeit any Sum not exceeding Twenty Pounds.

Power for Medical Persons, Guardians, and Overseers of Unions and Parishes, to visit Pauper Patients of such Unions and Parishes confined in any Asylum.

LXV. Any Physician, Surgeon, or Apothecary to be appointed by the Guardians of any Union or Parish or the Overseers of any Parish, and also the Guardians of any Union or Parish, and the Overseers of any Parish, shall be permitted, whenever they see fit, between the Hours of Eight in the Morning and Six in the Evening, to visit and examine any or every Pauper Lunatic chargeable to such Union or Parish confined in any Asylum, registered Hospital, or licensed House: Provided always, that if the Medical Officer of any Asylum be of opinion that it will be injurious to any Lunatic to permit such Visit and Examination, and such Medical Officer state in Writing the Reasons why such Lunatic should not be visited and examined, and sign such Statement, and deliver the same to the Person or Persons so requiring to visit and examine such Lunatic, then and in such Case it shall be lawful for such Medical Officer to refuse such Visit and Examination; and in every such Case such Medical Officer shall forthwith enter in the Medical Journal the Reasons set forth in such Statement for such Refusal, and shall sign such Entry.

Provisions concerning Visitation, Confinement, Removal, and Discharge of Lunatics.

Every Pauper Lunatic not in an Asylum, registered Hospital, or licensed House, to be visited once a Quarter by the Medical Officer of the Parish or Union, and Lists of such Lunatics to be sent to Commissioners in Lunacy.

LXVI. Every Pauper Lunatic not in an Asylum, or a Hospital registered or a House licensed for the Reception of Lunatics, shall be visited once in every Quarter of a Year (reckoning the several Quarters of the Year as ending on the Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December*,) by the Medical Officer of or for the Parish or Union or District of a Parish or Union in which such Lunatic is resident; and such Medical Officer shall be paid the Sum of Two Shillings and Sixpence for each such quarterly Visit to any Pauper not being in a Workhouse, which Sum shall be paid by the same Persons, and be charged to the same Account as the Relief of such Pauper; and within Seven Days after the End of every such Quarter such Medical Officer shall prepare and sign a List according to the Form in the Schedule (E.) to this Act of all such Lunatics, and shall state therein whether in the Opinion of such Medical Officer all or any of such Lunatics are or are not properly taken care of, and may or may not properly remain out of an Asylum, and such Medical Officer shall within the Time aforesaid deliver or send such List to the Clerk to the Guardians of such Parish or Union, or if such Parish be not under a Board of Guardians to One of the Overseers thereof; and the Forms for such Lists shall be from Time to Time furnished to the Medical Officer of every Parish under a Board of Guardians, and to the Medical Officers of every Union, by the Guardians of such Parish

or

or Union; but nothing in this Enactment shall be taken or construed to relieve any Medical Officer from any Obligation by this Act imposed upon him to give Notice to a Relieving Officer or Overseer where it appears to such Medical Officer that any Pauper Lunatic ought to be sent to an Asylum; and such Clerk or Overseer receiving any such List as aforesaid shall, within Three Days after the Receipt thereof, transmit the same to the Commissioners in Lunacy, and a Copy thereof to the Clerk to the Visitors of the Asylum for the County or Borough in which the Parish or Union for which he is Clerk or Overseer is situate; and every such Medical Officer, Clerk, or Overseer failing to comply with this Enactment shall for every such Offence forfeit any Sum not exceeding Twenty Pounds nor under Two Pounds.

Provision for sending Pauper Lunatics to Asylums.

LXVII. Every Medical Officer of a Parish or Union who shall have Knowledge that any Pauper resident in such Parish, or in any Parish within the District of such Medical Officer, is or is deemed to be a Lunatic, and a proper Person to be sent to an Asylum, shall within Three Days after obtaining such Knowledge give Notice thereof in Writing to a Relieving Officer of such Parish, or if there is no Relieving Officer then to One of the Overseers of such Parish, and every Relieving Officer of any Parish within a Union or under a Board of Guardians, and every Overseer of a Parish of which there is no Relieving Officer, who shall have Knowledge, either by such Notice or otherwise, that any Pauper resident in such Parish is or is deemed to be a Lunatic, and a proper Person to be sent to an Asylum, shall within Three Days after obtaining such Knowledge give Notice thereof to some Justice of the County or Borough within which such Parish is situate; and there upon the said Justice shall, by an Order under his Hand and Seal, require such Relieving Officer or Overseer to bring such Pauper before him, or some other Justice of the said County or Borough, at such Time and Place within Three Days from the Time of such Notice being given to such Justice as shall be appointed by the said Order; and the said Justice before whom such Pauper shall be brought shall call to his Assistance a Physician, Surgeon, or Apothecary, and examine such Person; and if such Physician, Surgeon, or Apothecary shall sign a Certificate with respect to such Pauper, according to the Form in Schedule (F.) No. 3. to this Act annexed, and such Justice be satisfied, upon View, or personal Examination of such Pauper or other Proof, that such Pauper is a Lunatic, and a proper Person to be taken charge of and detained under Care and Treatment, he shall, by an Order under his Hand according to the Form in the said Schedule (F.) No. 1. to this Act annexed, direct such Pauper to be received into such Asylum as herein-after mentioned, or, where herein-after authorized in this Behalf, into some Hospital registered

registered or some House duly licensed for the Reception of Lunatics; and such Relieving Officer or Overseer shall immediately convey or cause the said Lunatic to be conveyed to such Asylum, Hospital, or House, and such Lunatic shall be received and detained therein: Provided always, that it shall be lawful for any Justice, upon Notice being given to him as aforesaid, or upon his own Knowledge, without any such Notice as aforesaid, to examine any Pauper deemed to be lunatic at his own Abode or elsewhere, and to proceed in all respects as if such Pauper were brought before him in pursuance of an Order for that Purpose; provided also, that in case any Pauper deemed to be lunatic cannot, on account of his Health or other Cause, be conveniently taken before any Justice, such Pauper may be examined at his own Abode or elsewhere by an Officiating Clergyman of the Parish in which he is resident, together with a Relieving Officer, or if there be no Relieving Officer an Overseer of such Parish, and such Officiating Clergyman, together with such Relieving Officer or Overseer, shall call to their Assistance a Physician, Surgeon, or Apothecary; and if such Physician, Surgeon, or Apothecary shall sign a Certificate with respect to such Pauper according to the said Form in the said Schedule (F.) No. 3., and if upon View or Examination of such Pauper such Officiating Clergyman and such Relieving Officer or Overseer be satisfied that such Pauper is a Lunatic, and a proper Person to be taken charge of and detained under Care and Treatment, such Officiating Clergyman, together with such Overseer or Relieving Officer, shall, by an Order under their Hands according to the said Form in the said Schedule (F.) No. 1., direct such Pauper to be received into such Asylum as herein-after mentioned, or, where herein-after authorized in this Behalf, into some such registered Hospital or licensed House as aforesaid, and such Relieving Officer or Overseer shall immediately convey or cause such Pauper to be conveyed to such Asylum, Hospital, or House, and such Pauper shall be received and detained therein; provided also, that if the Physician, Surgeon, or Apothecary by whom any such Pauper shall be examined shall certify in Writing that he is not in a fit State to be removed, his Removal shall be suspended until the same or some other Physician, Surgeon, or Apothecary shall certify in Writing that he is fit to be removed; and every such Physician, Surgeon, and Apothecary is required to give such last-mentioned Certificate as soon as in his Judgment it ought to be given; provided also, that where a Certificate in the Form in the said Schedule (F.) No. 3. is signed by the Medical Officer of the Parish or Union in which the Pauper named therein is resident, as well as by some other Person being a Physician, Surgeon, or Apothecary called to the Assistance of the Justice or Clergyman and Overseer or Relieving Officer, as herein-before mentioned,

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mentioned, such joint Certificate, or such Two Certificates, (as the Case may be,) shall be received by the Justice or Clergyman and Overseer or Relieving Officer by whom such Person is examined as herein-before mentioned as conclusive Evidence that the Person named therein is a Lunatic, and a proper Person to be taken charge of and detained under Care and Treatment, and he or they shall make an Order in the Form in the said Schedule (F.) No. 1. accordingly.

Provision as to Lunatics wandering at large, not being properly taken care of, or being cruelly treated, &c.

LXVIII. Every Constable of any Parish or Place, and every Relieving Officer and Overseer of any Parish, who shall have Knowledge that any Person wandering at large within such Parish or Place (whether or not such Person be a Pauper) is deemed to be a Lunatic, shall immediately apprehend and take or cause such Person to be apprehended and taken before a Justice; and it shall also be lawful for any Justice, upon its being made to appear to him by the Information upon Oath of any Person whomsoever that any Person wandering at large within the Limits of his Jurisdiction is deemed to be a Lunatic, by an Order under the Hand and Seal of such Justice, to require any Constable of the Parish or Place, or Relieving Officer or Overseer of the Parish where such Person may be found, to apprehend him and bring him before such Justice, or some other Justice having Jurisdiction where such Person may be found; and every Constable of any Parish or Place, and every Relieving Officer and Overseer of any Parish, who shall have Knowledge that any Person in such Parish or Place not a Pauper and not wandering at large as aforesaid is deemed to be a Lunatic, and is not under proper Care and Control, or is cruelly treated or neglected by any Relative or other Person having the Care or Charge of him, shall, within Three Days after obtaining such Knowledge, give Information thereof upon Oath to a Justice, and in case it be made to appear to any Justice, upon such Information or upon the Information upon Oath of any Person whomsoever, that any Person within the Limits of his Jurisdiction not a Pauper, and not wandering at large, is deemed to be a Lunatic, and is not under proper Care and Control, or is cruelly treated or neglected by any Relative or other Person having the Care or Charge of him, such Justice shall, either himself visit and examine such Person and make Inquiry into the Matters so appearing upon such Information, or by an Order under his Hand and Seal direct and authorize some Physician, Surgeon, or Apothecary to visit and examine such Person, and make such Inquiry, and to report in Writing to such Justice his Opinion thereupon; and in case upon such personal Visit, Examination, and Inquiry by such Justice, or upon the Report of such Physician, Surgeon, or Apothecary, it appear to such Justice that such Person is a Lunatic, and is not under proper Care and Control, or is cruelly

 treated

treated or neglected by any Relative or other Person having the Care or Charge of him, it shall be lawful for such Justice, by an Order under his Hand and Seal, to require any Constable of the Parish or Place, or any Relieving Officer or Overseer of the Parish, where such Person is alleged to be, to bring him before any Two Justices of the same County or Borough; and the Justice or Justices (as the Case may be) before whom any such Person as aforesaid in the respective Cases aforesaid is brought, under this Enactment, shall call to his or their Assistance a Physician, Surgeon, or Apothecary, and shall examine such Person, and make such Inquiry relative to such Person as he or they shall deem necessary; and if upon Examination of such Person or other Proof such Justice be satisfied that such Person so brought before him is a Lunatic, and was wandering at large, and is a proper Person to be taken charge of and detained under Care and Treatment, or such Two Justices be satisfied that such Person so brought before them is a Lunatic, and is not under proper Care and Control, or is cruelly treated or neglected by any Person having the Care or Charge of him, and that he is a proper Person to be taken charge of and detained under Care and Treatment, and if such Physician, Surgeon, or Apothecary sign a Certificate with respect to every such Person so brought either before One Justice or Two Justices according to the Form in the Schedule (F.) No. 3. to this Act, it shall be lawful for the said Justice or Justices, by an Order under his or their Hand and Seal or Hands and Seals, according to the Form in the Schedule (F.) No. 1. to this Act, to direct such Person to be received into such Asylum as herein-after mentioned, or, where herein-after authorized in this Behalf, into some Hospital registered or House licensed for the Reception of Lunatics, and the said Constable, Relieving Officer, or Overseer who may have brought such Person before the said Justice or Justices, or any Constable whom such Justice or Justices may require so to do, shall forthwith convey such Person to such Asylum, Hospital, or House accordingly: Provided always, that it shall be lawful for any Justice, upon such Information on Oath as aforesaid, or upon his own Knowledge, and alone, in the Case of any such Person as aforesaid wandering at large and deemed to be a Lunatic, or with some other Justice, in any other of the Cases aforesaid, to examine the Person deemed to be a Lunatic, at his own Abode or elsewhere, and to proceed in all respects as if such Person were brought before him or them as herein-before mentioned; provided also, that it shall be lawful for the said Justice or Justices to suspend the Execution of any such Order for removing any such Person as aforesaid to any Asylum, Hospital, or House for such Period not exceeding Fourteen Days as he or they may deem meet, and in the meantime to give such Directions or make such Arrangements for the proper Care and Control of

of such Person as he or they shall consider necessary; provided also, that if the Physician, Surgeon, or Apothecary by whom such Person is examined certify in Writing that he is not in a fit State to be removed, the Removal of such Person shall be suspended until the same or some other Physician, Surgeon, or Apothecary certify in Writing that such Person is fit to be removed; and every such Physician, Surgeon, and Apothecary is hereby required to give such last-mentioned Certificate as soon as in his Judgment it ought to be given; provided also, that nothing herein contained shall be construed to extend to restrain or prevent any Relation or Friend from retaining or taking such Lunatic under his own Care, if such Relation or Friend shall satisfy the Justice or Justices before whom such Lunatic shall be brought, or the Visitors of the Asylum in which such Lunatic is or is intended to be placed, that such Lunatic will be properly taken care of.

Power to Justices to order Payment of a Fee to any Physician, &c. called in to examine any Person.

LXIX. It shall be lawful for any Justice or Justices causing any Person to be examined by any Physician, Surgeon, or Apothecary, under the Provisions herein-before contained, if he or they think fit so to do, to make an Order under his or their Hand and Seal or Hands and Seals upon the Guardians of the Union or Parish or the Overseers of the Parish to which such Person is chargeable, under the Provisions herein contained, for the Payment of such reasonable Remuneration to any such Physician, Surgeon, or Apothecary, for the Examination of such Person, and of all other reasonable Expenses in or about the Examination of such Person, and the bringing him before such Justice or Justices, and in case he be ordered to be conveyed to any Asylum, registered Hospital, or licensed House, of conveying him thereto, as to such Justice or Justices may seem proper.

Penalties on Medical Officers, Overseers, &c. omitting to give Notice as aforesaid.

LXX. If any Medical Officer of any Parish or Union omit for more than Three Days after obtaining Knowledge of any Pauper resident in such Parish, or in any Parish within his District, being or being deemed to be lunatic, and a proper Person to be sent to an Asylum, to give such Notice thereof as is herein-before required, or if any Relieving Officer of any Parish, or any Overseer of any Parish of which there is no Relieving Officer, omit for more than Three Days after obtaining Knowledge of any Pauper resident in such Parish, being deemed to be a Lunatic, and a proper Person to be sent to an Asylum, to give Notice thereof to a Justice as herein-before required, or if any Constable, Relieving Officer, or Overseer omit to apprehend and take before a Justice, as herein-before required, any Person wandering at large and deemed to be a Lunatic, or omit for Three Days after obtaining Knowledge that any Person deemed to be a Lunatic (not a Pauper and not wandering at large) is not under proper Care and

and Control, or is cruelly treated or neglected by any Person having the Care or Charge of him, to give Information thereof to a Justice as herein-before required, such Medical Officer, Relieving Officer, Overseer, or Constable, as the Case may be, shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Penalty on Relieving Officers, Overseers, and Constables, delaying to execute Orders.

LXXI. If any Relieving Officer, Overseer, or Constable by this Act required to convey any Person to any Asylum, registered Hospital, or licensed House, in pursuance of any Order under this Act, refuse or wilfully neglect to execute such Order with all reasonable Expedition, he shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Orders of Justices, &c. may extend to authorize Reception into Hospitals or licensed Houses, but Lunatics to be always sent to Asylum, if Circumstances permit.

LXXII. Every such Order by a Justice or Justices, or by a Clergyman and Overseer or Relieving Officer as aforesaid, for the Reception of a Lunatic into an Asylum, may authorize his Admission, not only into any Lunatic Asylum of the County or Borough in which the Parish or Place from which the Lunatic is sent is situate, but also into any other Asylum for the Reception of Pauper Lunatics of such County or Borough, and also into any Asylum for any other County or Borough, or any Hospital registered or House licensed for the Reception of Lunatics; but every Lunatic shall under every such Order be sent to an Asylum of the County or Borough in which the Parish or Place from which he is sent is situate, unless there be no such Asylum, or there be a Deficiency of Room, or unless there be some special Circumstances by reason whereof such Lunatic cannot conveniently be taken to such Asylum, which Deficiency of Room or special Circumstances shall be stated in the Order for the Reception of such Lunatic into any Asylum other than such Asylum as aforesaid, or into any registered Hospital or licensed House; and no Lunatic shall be sent to any registered Hospital or House licensed for the Reception of Lunatics, by virtue of such Order, except there be no such Asylum, or no such Asylum in which he can be received, or there be some special Circumstances by reason whereof he cannot be taken thereto, which shall be stated in like Manner as aforesaid.

No Pauper to be received into any Asylum without a certain Order and Certificate.

LXXIII. No Pauper shall be received into any Asylum, registered Hospital, or licensed House (save under the Provisions herein contained with respect to Removal of Lunatics) without an Order according to the Form required in the said Schedule (F.) No. 1., under the Hands of One Justice, or under the Hands of an Officiating Clergyman, and of One of the Overseers or the Relieving Officer of the Parish or Union from which such Pauper is sent as aforesaid, together with such Statement of Particulars as is contained

tained in the same Schedule, nor without a Medical Certificate according to the Form in the said Schedule (F.) No. 3., signed by One Physician, Surgeon, or Apothecary, who shall have personally examined him not more than Seven clear Days previously to his Reception; and every Person who receives any Pauper into any Asylum without such Order and Medical Certificate (save under any of the said Provisions) shall be guilty of a Misdemeanor.

No Person to be received into an Asylum, except under the Provisions of this Act, without an Order and Two Medical Certificates.

LXXIV. No Person, not a Pauper, shall be received into any Asylum (save under the Provisions herein contained) without an Order under the Hand of some Person according to the Form in Schedule (F.) No. 2. to this Act annexed, together with such Statement of Particulars as is contained in the same Schedule, nor without the Medical Certificate, according to the Form and containing the Particulars required in Schedule (F.) No. 3. annexed to this Act, of Two Persons, each of whom shall be a Physician, Surgeon, or Apothecary, and shall not be in Partnership with or an Assistant to the other, and each of whom shall separately from the other have personally examined the Person to whom it relates, not more than Seven clear Days previously to the Reception of such Person into such Asylum, and such Order as aforesaid may be signed before or after the Medical Certificates or either of them; and every Person who receives any Person, not a Pauper, into any Asylum, save under the Provisions herein contained, without such Order and Medical Certificates as aforesaid, shall be guilty of a Misdemeanor: Provided always, nevertheless, that any Person may, under special Circumstances preventing the Examination of such Person by Two Medical Practitioners as aforesaid, be received into any Asylum upon the Certificate of One Physician, Surgeon, or Apothecary alone, provided that the Statement accompanying such Order set forth the special Circumstances which prevent the Examination of such Person by Two Medical Practitioners; but in every such Case Two other such Certificates shall, within Three clear Days after the Reception of such Patient into such Asylum, be signed by Two other Persons, each of whom shall be a Physician, Surgeon, or Apothecary, not in Partnership with or an Assistant to the other, or the Physician, Surgeon, or Apothecary who signed the Certificate on which the Patient was received, and shall within such Time, and separately from the other of them, have personally examined the Person so received as a Lunatic; and any Person who, having received any Person into any Asylum as aforesaid upon the Certificate of One Medical Practitioner alone as aforesaid, shall keep or permit such Person to remain in such Asylum beyond the said Period of Three clear Days, without such further Certificates as aforesaid, shall be guilty of a Misdemeanor.

Medical Certificate to specify Facts upon which Opinion of Insanity has been formed.

LXXV. Every Physician, Surgeon, and Apothecary signing any Certificate under or for the Purposes of this Act, shall specify therein the Facts upon which he has formed his Opinion that the Person to whom such Certificate relates is a Lunatic, an Idiot, or a Person of unsound Mind, distinguishing in such Certificate Facts observed by himself from Facts communicated to him by others; and no Person shall be received into any Asylum under any Certificate which purports to be founded only upon Facts communicated by others.

Who not to sign Certificate for Reception of a Patient.

LXXVI. No Physician, Surgeon, or Apothecary who, or whose Father, Brother, Son, Partner, or Assistant, shall sign the Order for the Reception of a Patient, shall sign any Certificate for the Reception of the same Patient, and no Patient shall be received into any Asylum upon or under any Certificate signed by any Medical Officer of such Asylum.

Power to Two Visitors of any Asylum, being Justices, to order Removal of Pauper Lunatics to or from such Asylum.

LXXVII. It shall be lawful for any Two of the Visitors of any Asylum, being Justices, by an Order in Writing under their Hands and Seals, to order any Pauper Lunatic chargeable to any Parish or Union within the County or Borough or any County or Borough to which such Asylum wholly or in part belongs, or to such County, and who may be confined in any other Asylum, or in any registered Hospital or licensed House, to be removed to such first-mentioned Asylum; and it shall be lawful for any Two of the Visitors of any Asylum, being Justices, in manner aforesaid to order any Pauper Lunatic to be removed from such Asylum to some other Asylum, or to some registered Hospital or licensed House; but no such Lunatic shall be removed as last aforesaid without the Consent in Writing of Two of the Commissioners in Lunacy, except to an Asylum within or belonging wholly or in part to the County within which the Asylum from which the Lunatic is removed is situate, or the County in some Parish of which the Lunatic may have been adjudged to be settled, or a registered Hospital or licensed House within any such County as aforesaid, or an Asylum, registered Hospital, or licensed House into which the Lunatic can be received under a subsisting Contract for the Reception of Lunatics therein; and it shall be lawful for the Justices making any such Order in and by the same to direct or require any Overseer or Relieving or other Officer of the Parish, Union, or County to which such Lunatic is chargeable, or to authorize any other Person, to execute the same; and every such Order and Consent shall be made and given respectively in Duplicate, and one Duplicate shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or licensed House from which the Patient is removed, and the other shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or licensed House

House to which the Patient is removed, and such Order, with such Consent in Writing (where such Consent is required), shall be a sufficient Authority for the Removal of such Patient, and also for his Reception into the Asylum, Hospital, or licensed House to which he is ordered to be removed: Provided always, that no Person shall be removed under any such Order without a Medical Certificate, signed by the Medical Officer of the Asylum, or the Medical Practitioner, or One of the Medical Practitioners, keeping, residing in, or visiting the Hospital or licensed House from which such Person is ordered to be removed, certifying that he is in a fit Condition of bodily Health to be removed in pursuance of such Order; and the Superintendent or Proprietor of such Asylum, Hospital, or licensed House shall, at the Time of delivering the Person ordered to be removed to the Overseer, Officer, or Person having the Execution of the Order for Removal, deliver to such Overseer or Officer, free of any Charge for the same, the Certificate of such Medical Officer, and also a Copy (certified under the Hand of such Superintendent or Proprietor to be a true Copy) of the Order and Certificate under which such Person was received into and detained in such Asylum, Hospital, or licensed House, and the said Certificate and certified Copies, with One Duplicate of the Order for Removal, shall be delivered by such Overseer, Officer, or Person to the Superintendent or Proprietor of the Asylum, Hospital, or licensed House to which such Person is ordered to be removed, or any other Officer of such Asylum, Hospital, or licensed House into whose Care such Person is delivered.

Pauper Lunatics not to be received into any other than the County or Borough Asylum without Endorsement of Order by a Visitor, and Orders not compulsory on Hospitals or licensed Houses.

LXXVIII. Provided always, That no Lunatic being a Pauper shall be received under any Order made by virtue of this Act into any Asylum, other than an Asylum belonging wholly or in part to the County or Borough in which the Parish or Place from which such Lunatic is sent, or the Parish in which he is adjudged to be settled, is situate, except there be a subsisting Contract for the Reception of Lunatics of such County or Borough therein, or such Borough otherwise contributes to such Asylum, unless such Order be endorsed by a Visitor of such Asylum; and it shall not be compulsory on the Superintendent of any registered Hospital or the Proprietor of any licensed House to receive any Lunatic under any such Order, except in pursuance of any subsisting Contract.

Discharge of Lunatics from Asylums.

LXXIX. It shall be lawful for any Three of the Visitors of any Asylum, by Writing under their Hands and Seals, to order the Discharge of any Person detained in such Asylum, whether such Person be recovered or not, and also for any Two of such Visitors, with the Advice in Writing of the Medical Officer of such Asylum, to

to discharge any Person detained therein, or to permit any such Person to be absent from the Asylum upon Trial for such Period as such Visitors think fit; and it shall be lawful for such Visitors to make such Allowance to such last-mentioned Person, not exceeding what would be the Charge for such Person if in the Asylum, which Allowance, and no greater Sum, shall be charged for him and be payable as if he were actually in the Asylum; and in case any Person so allowed to be absent on Trial for any Period do not return at the Expiration of such Period, and a Medical Certificate as to his State of Mind, certifying that his Detention in an Asylum is no longer necessary, be not sent to the Visitors, he may, at any Time within Fourteen Days after the Expiration of such Period, be retaken, as herein provided in the Case of an Escape.

Overseers and Relieving Officers to remove Lunatics upon Notice of Discharge, and to be liable to a Penalty for Refusal or wilful Neglect.

LXXX. When the Visitors of any Asylum shall order a Pauper Lunatic confined therein to be discharged therefrom, it shall be lawful for them, when they shall see Occasion, to send Notice in Writing, signed by their Clerk, through the Post or otherwise, of their Intention to discharge such Lunatic, to the Overseers of the Parish wherein it shall have been adjudged that such Lunatic is settled, or, if no such Adjudication shall have been made, to the Overseers of the Parish from which such Lunatic shall have been sent to such Asylum, unless such Lunatic shall be chargeable to the Common Fund of any Union, and in any such last-mentioned Case to some One Relieving Officer of such Union; and upon Receipt of such Notice the Overseers or Relieving Officers respectively shall cause such Lunatic, upon his Discharge, to be forthwith removed to their Parish, or to the Workhouse of the Union at the Cost and Charge of their Parish or of the Common Fund of the Union, as the Case shall require; and any Overseer or Relieving Officer who shall refuse or wilfully neglect to remove such Lunatic from the said Asylum within the Space of Seven Days after such Notice shall have been sent to him shall be guilty of an Offence against this Act, and shall forfeit for such Offence any Sum not exceeding Ten Pounds, to be recovered as other Penalties imposed by this Act are recoverable.

Visitors may discharge a Lunatic on the Undertaking of a Relative or Friend that he shall no longer be chargeable, and shall be taken care of.

LXXXI. Where Application is made to the Committee of Visitors of any Asylum by any Relative or Friend of a Pauper Lunatic confined therein, requiring that he may be delivered over to the Custody and Care of such Relative or Friend, it shall be lawful for any Two of the Visitors aforesaid, if they think fit, and upon the Undertaking in Writing of such Relative or Friend to the Satisfaction of such Visitors that such Lunatic shall be no longer chargeable to any Union, Parish, or County, and shall be properly taken care of, and shall be prevented from doing Injury to himself or others, to discharge such Lunatic.

LXXXII. It

LXXXII. It shall be lawful for the Commissioners in Lunacy, or any Two of them, by Writing under their Hands and Seals, to order and direct the Removal of any Lunatic from any Asylum, registered Hospital, or licensed House to any other Asylum, registered Hospital, or licensed House; and every such Order shall be made in Duplicate, and one Duplicate shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or licensed House from which the Patient is removed, and the other shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or licensed House to which the Patient is removed, and such Order shall be a sufficient Authority for the Removal of such Patient, and also for his Reception into the Asylum, Hospital, or licensed House to which he is ordered to be removed.

Commissioners in Lunacy may order Removal of Lunatics.

LXXXIII. If and when any Person who signed the Order on which any Patient (not being a Pauper) was received into any Asylum (whether or not such Patient have since been removed under any Order made under this Act or otherwise to any other Asylum) shall by Writing under his Hand direct that such Patient be discharged or removed, then and in such Case such Patient shall forthwith be discharged or removed as the Person who signed the Order for his Reception may direct.

The Person who signed the Order for the Reception of a private Patient may order his Discharge or Removal.

LXXXIV. If the Person who signed the Order on which any Patient (not being a Pauper) was received into any Asylum be dead, or be incapable, by reason of Insanity, Absence from *England*, or otherwise, of giving an Order for the Discharge or Removal of such Patient, then the Person who made the last Payment on account of such Patient, or the Husband or Wife, or (if there be no Husband, or the Husband or Wife be incapable as aforesaid,) the Father, or (if there be no Father, or he be incapable as aforesaid,) the Mother of such Patient, or if there be no Mother, or she be incapable as aforesaid, then any One of the nearest of Kin for the Time being of such Patient, may, by Writing under his or her Hand, give such Direction as aforesaid for the Discharge or Removal of such Patient, and thereupon such Patient shall be forthwith discharged or removed accordingly.

Provision where the Person who signed the Order for Reception is dead or incapable of acting.

LXXXV. Provided always, That no Patient shall be discharged under either of the Two last foregoing Provisions if the Medical Officer of the Asylum in which such Patient is certify in Writing under his Hand that in the Opinion of such Medical Officer such Patient is dangerous and unfit to be at large, together with the Grounds on which such Opinion is founded, unless Two of the Visitors of such Asylum, being Justices, shall, after such Certificate shall

Patient not to be discharged where certified to be dangerous, without Visitors Consent.

shall have been produced to them, give their Consent in Writing to such Patient's being so discharged; provided that nothing in this Enactment shall prevent the Transfer of any Patient so certified to be dangerous and unfit to be at large from any Asylum to any other Asylum, or to any registered Hospital or licensed House, but in such Case the Patient shall be placed under the Control of an Attendant belonging to the Asylum, Hospital, or House from or to which he is about to be removed for the Purpose of such Removal, and shall remain under such Control until such Time as the Removal has been duly effected.

Not to prevent Transfer under Control of an Attendant.

Provision authorizing Transfer of private and single Patients.

LXXXVI. Any Person, having Authority to order the Discharge of any Patient (not being a Pauper) from any Asylum, registered Hospital, or licensed House, or of any single Patient, may, with the previous Consent in Writing of Two of the Commissioners, direct, by an Order in Writing under his Hand, the Removal of such Patient to any Asylum, registered Hospital, or licensed House, or to the Care or Charge of any Person mentioned or named in such Order; and every such Order and Consent shall be made and given respectively in Duplicate, and One of the Duplicates shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or House from which or the Person from whose Care or Charge the Patient is ordered to be removed, and the other Duplicate shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or House into which or the Person into whose Care or Charge the Patient is ordered to be removed; and such Order for Removal, together with such Consent in Writing, shall be a sufficient Authority for the Removal of such Patient, and also for his Reception into the Asylum, registered Hospital, or licensed House into which or by the Person into whose Care or Charge he is ordered to be removed: Provided always, that a Copy of the Order and Certificates upon which such Patient was received into the Asylum, Hospital, or House from which he is removed, or as a single Patient, by the Person from whose Care he is removed, certified under the Hand of the Superintendent or Proprietor of such Asylum, Hospital, or House, or of such Person as last aforesaid, to be a true Copy, shall be furnished by him free of Expense, and shall be delivered, with One Duplicate of the said Order of Removal and Consent, to the Superintendent or Proprietor of the Asylum, Hospital, or House to which, or to the Person to whose Care or Charge, such Patient is removed.

Orders and Medical Certificates may be amended.

LXXXVII. If after the Reception of any Lunatic into any Asylum it appear that the Order or the Medical Certificate, or (if more than One) both or either of the Medical Certificates, upon which he was received.

received, is or are in any respect incorrect or defective, such Order and Medical Certificate or Certificates may be amended by the Person or Persons signing the same at any Time within Fourteen Days next after the Reception of such Lunatic; provided nevertheless, that no such Amendment shall have any Force or Effect unless the same shall receive the Sanction of One or more of the Commissioners in Lunacy.

Persons received into Asylums, &c. may be detained till Removal or Discharge, and in case of Escape may be retaken within Fourteen Days.

LXXXVIII. Every Person received into any Asylum, registered Hospital, or licensed House under such Order as is required by this Act, accompanied by the requisite Medical Certificate, may be detained therein until he be removed or discharged as authorized by this Act, and in case of Escape may, by virtue of such Order and Certificate or Certificates, be retaken at any Time within Fourteen Days after his Escape by the Superintendent or Proprietor of such Asylum, Hospital, or House, or any Officer or Servant belonging thereto, or any other Person authorized in Writing in this Behalf by such Superintendent or Proprietor, and conveyed to and received and detained in such Asylum, Hospital, or House.

Every Clerk receiving a Lunatic into an Asylum to make an Entry thereof, and to transmit a Copy of the Order and Certificate of Medical Officer of the Asylum to Commissioners in Lunacy.

LXXXIX. The Clerk of every Asylum shall, immediately on the Admission of any Person as a Lunatic into such Asylum, make an Entry with respect to such Lunatic in a Book to be kept for that Purpose, to be called "The Register of Patients," according to the Form and containing the Particulars specified in the Schedule (G.) No. 1. to this Act, except as to the Form of Disorders, the Entry as to which is to be supplied by the Medical Officer of the Asylum within One Month after the Admission of the Patient, and after the Second and before the End of the Seventh clear Day from the Day of the Admission of any Person as a Lunatic into any Asylum shall transmit to the Commissioners in Lunacy a Copy of the Order and Statement and Certificate or Certificates on which such Lunatic has been so received, together with a Statement, to be made and signed by the Medical Officer of the Asylum, not sooner than Two clear Days after such Admission, according to the Form in the said Schedule (F.) No. 4. to this Act annexed; and any Clerk omitting so to make such Entry, or to transmit such Copy and Statement within the Time aforesaid, and every Medical Officer omitting to make or sign such Statement, shall for every such Offence forfeit any Sum not exceeding Twenty Pounds.

Weekly Journal and Case Book to be kept in every Asylum.

XC. In every Asylum the Medical Officer thereof shall once in every Week enter in a Book to be kept for that Purpose, to be called "The Medical Journal," a Statement according to the Form in the said Schedule (G.) No. 3., showing the Number of Patients of

of each Sex then in such Asylums, the Christian Name and Surname of every Patient who is or has been under Restraint or in Seclusion since the last Entry, and when and for what Period and Reasons, and in case of Restraint by what Means, and the Christian Name and Surname of every Patient under Medical Treatment, and for what, if any, bodily Disorder, and every Death, Injury, and Violence which shall have happened to or affected any Patient since the then last preceding Entry, and shall also enter into a Book to be called "The Case Book," as soon as may be after the Admission of any Patient, the mental State and bodily Condition of every Patient at the Time of his Admission, and also the History from Time to Time of his Case whilst he shall continue in the Asylum; and such Books shall from Time to Time be regularly laid before the Visitors for their Inspection and Signature, and every Medical Officer omitting to make such Entries or any of them, shall for every such Offence forfeit any Sum not exceeding Twenty Pounds.

Copies of Entries made by Commissioners visiting Asylums to be sent to the Office of Commissioners.

XCI. The Clerk of every Asylum shall, within Three Days after every Visit to such Asylum of Two or more of the Commissioners in Lunacy, transmit to the Office of such Commissioners a true and perfect Copy of any Entries of any Remarks or Observations made by such visiting Commissioners in any of the Books of such Asylum, and every such Clerk omitting to transmit as aforesaid any such Copy shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

In case of the Death of a Lunatic the Cause of Death to be stated, and sent to the Registrar of Deaths, the Commissioners in Lunacy, and Relieving Officer or Overseers.

XCII. In case of the Death of any Patient in any Asylum a Notice and Statement according to the Form in Schedule (F.) No. 5. of the Death and Cause of the Death of such Patient, and the Name of any Person or Persons who was or were present at the Death, shall be drawn up and signed by the Clerk and Medical Officer of such Asylum, and a Copy thereof shall be by the Clerk transmitted to the Registrar of Deaths for the District and to the Commissioners in Lunacy within Forty-eight Hours of the Death of such Patient, and also to the Relieving Officer or the Overseers of the Union or Parish to which such Lunatic (if a Pauper) was chargeable, and if not a Pauper to the Person who shall have signed the Order for the Admission of the Lunatic, or who made the last Payment on account of such Lunatic; and every Clerk or Medical Officer who neglects or omits to draw up, sign, or transmit such Notice or Statement as aforesaid, within the Time aforesaid, shall respectively forfeit and pay any Sum not exceeding Twenty Pounds.

Entries to be made of Deaths, Dis-

XCIII. The Clerk of every Asylum shall, within Three clear Days after the Death, Discharge, or Removal of any Patient, make an Entry

Entry thereof in the said Register of Patients, and also in a Book to be kept for that Purpose according to the Form and containing the Particulars in the Schedule (G.) No. 2. to this Act, and shall also, within Three clear Days after the Discharge, Removal, Escape, or Recapture of any Patient, transmit a written Notice of such Discharge or Removal, according to the Form in the said Schedule (F.) No. 5., or of such Escape or Recapture, to the Commissioners in Lunacy; and every such Clerk who neglects or omits to make such Entry as aforesaid, or transmit such Notice as aforesaid within the Time aforesaid, shall forfeit and pay any Sum not exceeding Ten Pounds; and every such Clerk who shall knowingly and wilfully in such Entry untruly set forth any of the Particulars required shall be guilty of a Misdemeanor.

charges, and Removals, and Notice given to the Commissioners in case of the Discharge, Removal, Escape, and Recapture of every Lunatic.

XCIV. Where any Lunatic shall be sent to an Asylum, registered Hospital, or licensed House, under any Order made by virtue of the Authority herein-before given to Two Justices, if it appear to such Justices that such Lunatic hath an Estate applicable to his Maintenance, and more than sufficient to maintain his Family (if any), it shall be lawful for such Justices to make an Application in Writing under their Hands and Seals to the nearest known Relative or Friend of such Lunatic, for the Payment of the Charges of the Examination, Removal, Lodging, Maintenance, Clothing, Medicine, and Care of such Lunatic; and in case such Charges be not paid within One Month after such Application, it shall be lawful for the same or any other Justices, by an Order under their Hands and Seals, to direct a Relieving Officer or Overseer of the Parish from which such Lunatic shall be sent, or where any Property of such Lunatic shall be, to seize so much of the Money, and to seize and sell so much of the Goods and Chattels, and take and receive so much of the Rents and Profits of the Lands and Tenements of such Lunatic, and of any other Income of such Lunatic, as may be necessary to pay the Charges of the Examination, Removal, Lodging, Maintenance, Clothing, Medicine, and Care of such Lunatic, accounting for the same to the same or any other Justices, such Charges having been first proved to the Satisfaction of the said Justices, and the Amount set forth in such Order; and if any Trustee or other Person having the Possession, Custody, or Charge of any Property of such Lunatic, or if the Governor and Company of the Bank of *England*, or any other Body or Person having in their or his Hands any Stock, Interest, Dividend, or Annuity belonging or due to such Lunatic, pay the whole or any Part thereof to any Overseer or Relieving Officer, to defray the Charges set forth in such Order, the Receipt of such Overseer or Relieving Officer shall be a good Discharge to such Trustee, Governor, and Company, or other Body or Person

As to Expense of Maintenance and Removal, &c. of Pauper and other Lunatics.

How Justices are to proceed where it appears to them that the Lunatic has Property applicable to his Maintenance.

Person as aforesaid: Provided always, that, notwithstanding it may appear to the said Justices that such Lunatic hath such Estate as aforesaid, it shall be lawful for such Justices, in the meantime and until such Charges as aforesaid shall be paid, in pursuance of such Application or Order as aforesaid, to make an Order on the Guardians of the Union or Parish, or the Overseers of the Parish, from which such Lunatic shall be sent for Confinement, for Payment of the Charges of the Removal, Lodging, Maintenance, Clothing, Medicine, and Care of such Lunatic; and such Guardians or Overseers shall be reimbursed such Charges under any Order to be made as aforesaid for Payment of such Charges, out of the Property of the Lunatic, unless the same be sooner repaid by some Relative or Friend of such Lunatic in pursuance of such Application as aforesaid.

Every Pauper Lunatic to be chargeable to the Parish from which he is sent till otherwise adjudged.

XCV. When any Pauper Lunatic is confined under the Provisions of this Act he shall, for the Purposes of this Act, be chargeable to the Parish from which, or at the Instance of some Officer or Officiating Clergyman of which, he has been sent, unless and until such Parish shall have established, under the Provisions herein contained, that such Lunatic is settled in some other Parish, or that it cannot be ascertained in what Parish such Lunatic is settled; and every Pauper Lunatic who is chargeable to any Parish shall, whilst he resides in an Asylum, registered Hospital, or licensed House, be deemed for the Purposes of his Settlement to be residing in the Parish to which he is chargeable.

Justices to make an Order upon the Officers of Unions and Parishes for Maintenance of Lunatics.

XCVI. It shall be lawful for the Justice by whom any Pauper Lunatic is sent to an Asylum, registered Hospital, or licensed House under the Powers of this Act, or for any Two Justices of the County or Borough in which the Asylum, registered Hospital, or licensed House in which any Pauper Lunatic is confined is situate, or from any Part of which any Pauper Lunatic has been sent, or for any Two Justices being Visitors of such Asylum or licensed House, to make an Order upon the Guardians of the Union or Parish or the Overseers of the Parish (if not in a Union or under a Board of Guardians) from which, or at the Instance of any Officer or Officiating Clergyman of which, such Lunatic is or has been sent for Confinement, for Payment to the Treasurer, Officer, or Proprietor of the Asylum, registered Hospital, or licensed House of the reasonable Charges of the Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic in such Asylum, Hospital, or House, and any such Order may be retrospective or prospective, or partly retrospective and partly prospective; and the Guardians or Overseers on whom such Order shall be made shall from Time to Time pay to the said Treasurer, Officer, or Proprietor the Charges aforesaid.

XCVII. It

Lunatic Asylums.

XCVII. It shall be lawful for any Two Justices for the County or Borough in which any Asylum, registered Hospital, or licensed House in which any Pauper Lunatic is or has been confined is situate, or to which such Asylum wholly or in part belongs, or from any Part of which any Pauper Lunatic is or has been sent for Confinement, at any Time to inquire into the last legal Settlement of such Pauper Lunatic, and if satisfactory Evidence can be obtained as to such Settlement in any Parish, such Justices shall, by Order under their Hands and Seals, adjudge such Settlement accordingly, and order the Guardians of the Union to which the Parish in which such Lunatic is adjudged to be settled belongs, or of such Parish in case such Parish be in a Union or be under a Board of Guardians, and if not, then the Overseers of such Parish, to pay to the Guardians of any Union or Parish, or the Overseers of any Parish, all Expenses incurred by or on behalf of such Union or Parish in or about the Examination of such Lunatic, and the bringing him before a Justice or Justices, and his Conveyance to the Asylum, Hospital, or House, and of all Monies paid by such last-mentioned Guardians or Overseers to the Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House, for the Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic, and incurred within Twelve Calendar Months previous to the Date of such Order, and, if such Lunatic is still in Confinement, also to pay to the Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House the reasonable Charges of the future Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic; and the Guardians or Overseers on whom any such Order is made shall immediately pay to the Guardians or Overseers to whom the same are ordered to be paid the Amount of the Expenses and Monies by such Order directed to be paid to them, and from Time to Time pay to the said Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House the future Charges aforesaid.

Two Justices may inquire into and adjudge the Settlement of a Lunatic, and order Payment of Maintenance &c. accordingly.

XCVIII. If any Pauper Lunatic be not settled in the Parish by which, or at the Instance of some Officer or Officiating Clergyman of which, he is sent to any Asylum, registered Hospital, or licensed House, and it cannot be ascertained in what Parish such Pauper Lunatic is settled, and if a Relieving Officer of such first-mentioned Parish, or of the Union in which the same is situate, or the Overseers of such first-mentioned Parish, shall give Ten Days Notice to the Clerk of the Peace of the County in which such Lunatic was found to appear for such County before Two Justices thereof, at a Time and Place to be appointed in such Notice, it shall be lawful for such Two Justices, or any Two or more Justices of such County, upon the Appearance of such Clerk of the Peace, or any one on his Behalf, or, in case of his Non-appearance, upon Proof of his having been

If Settlement cannot be ascertained, a Pauper Lunatic may be made chargeable to the County.

been served with such Notice, to inquire into the Circumstances of the Case, and to adjudge such Pauper Lunatic to be chargeable to such County and to order the Treasurer of such County, to pay to the Guardians of any Union or Parish or the Overseers of any Parish all Expenses incurred by or on behalf of such Union or Parish in or about the Examination of such Lunatic, and the bringing him before a Justice or Justices, and his Conveyance to the Asylum, Hospital, or House, and all Monies paid by such Guardians or Overseers to the Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House, for the Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic, and incurred within Twelve Calendar Months previous to the Date of such Order, and (if such Lunatic is still in Confinement) also to pay to the Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House the reasonable Charges of the future Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic; and every such Treasurer of a County on whom any such Order is made shall, out of any Monies which may come into his Hands by virtue of his Office, immediately pay to such Guardians or Overseers the Amount of the Expenses and Monies by such Order directed to be paid to them, and from Time to Time pay to the said Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House the future Charges aforesaid: Provided always, that such Justices may direct such Inquiry to be made to ascertain the Parish in which any Pauper Lunatic is settled as they think fit, and delay adjudging such Pauper Lunatic to be chargeable to any County until such further Inquiry has been made: Provided also, that every County to which any Pauper Lunatic is adjudged to be chargeable as aforesaid may at any Time thereafter inquire as to the Parish in which such Lunatic is settled, and may procure such Lunatic to be adjudged to be settled in any Parish.

Provision for the Reimbursement to a County of Monies paid on account of a Lunatic afterwards adjudged to belong to any Parish.

XCIX. If, after any Pauper Lunatic has been sent to an Asylum, registered Hospital, or licensed House as aforesaid, and has been adjudged to be chargeable to a County, such County procure such Lunatic to be adjudged to be settled in any Parish, it shall be lawful for any Two Justices of the County or Borough in which the Asylum, registered Hospital, or licensed House in which such Lunatic is confined is situate, or from any Part of which such Lunatic was sent for Confinement, or for any Two Justices being Visitors of such Asylum or licensed House, to make an Order upon the Guardians of the Union to which such Parish belongs, or of any such Parish, if such Parish be in a Union or be under a Board of Guardians, or if not, then upon the Overseers of such Parish, for Payment to the Treasurer of the said County of all Expenses and Monies paid by such Treasurer as hereinbefore is provided, and of all Monies paid by such Treasurer to the Treasurer,

Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House, for the Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic, and incurred within Twelve Calendar Months previous to such Order, and (if such Lunatic is still in Confinement) also for Payment to the Treasurer or Officer or Proprietor of the Asylum, Hospital, or House of the reasonable Charges of the future Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic; and such Guardians or Overseers shall immediately pay to the Treasurer of such County the Amount of the Expenses and Monies by such Order directed to be paid to him, and from Time to Time pay to the said Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House the future Charges aforesaid.

C. It shall be lawful for any Justices herein-before authorized to make any such Order as aforesaid upon the Guardians of any Union or Parish, or upon the Overseers of any Parish, to make such Order upon such Guardians or Overseers, although such Union or Parish be not within the Jurisdiction of such Justices.

Justices to make Orders out of their respective Jurisdictions.

CI. Where any Order has been made for the Payment of the future Charges of the Lodging, Maintenance, Medicine, Clothing, and Care of any Lunatic in any Asylum, registered Hospital, or licensed House, such Order shall extend to and be applicable in respect of the Charges of the Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic in any Asylum, registered Hospital, or licensed House to which he may be removed under the Powers of this or any other Act, in like Manner as if such Charges had by such Order been directed to be paid to the Treasurer or an Officer or the Proprietor of the Asylum, registered Hospital, or licensed House in which such Lunatic may for the Time being be confined.

Order for Payment of Charges of Maintenance in Asylums, &c. to extend to any Asylum, &c. to which the Lunatic may be removed.

CII. Provided always, That all the Expenses incurred since the Twenty-ninth Day of *September* One thousand eight hundred and fifty-three, or hereafter to be incurred, in and about the Examination, bringing before a Justice or Justices, Removal, Lodging, Maintenance, Medicine, Clothing, and Care of a Pauper Lunatic heretofore or hereafter removed to an Asylum, registered Hospital, or licensed House under the Authority of this or any other Act, who would, at the Time of his being conveyed to such Asylum, Hospital, or House, have been exempt from Removal to the Parish of his Settlement or the Country of his Birth by reason of some Provision in the Act of the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter Sixty-six, shall be paid by the Guardians of the Parish wherein such Lunatic shall have acquired

The Costs of Pauper Lunatics who are irremovable to be borne by the Parish wherein they were exempt from Removal, or by the Common Fund in Unions.

such Exemption if such Parish be subject to a separate Board of Guardians, or by the Overseers of such Parish where the same is not subject to such separate Board, and where such Parish shall be comprised in any Union the same shall be paid by the Guardians, and be charged to the Common Fund of such Union so long as the Cost of the Relief of Paupers rendered irremovable by the last-mentioned Act shall continue to be chargeable upon the Common Funds of Unions; and no Order shall be made under any Provision contained in this or any other Act upon the Parish of the Settlement in respect of any such Lunatic Pauper during the Time that the above-mentioned Charges are to be paid and charged as herein provided; and Section Five of the Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter One hundred and three, shall be repealed.

Section 5. of 12 & 13 Vict. c. 103. repealed.

Guardians and Overseers may pay Charges without Orders of Justices.

CIII. Provided also, That any Guardians or Overseers who would be liable under any Provision contained in this Act to have an Order made upon them for the Payment of any Money may pay the same without any such Order being made, and may charge the same to such Account as they could have done if such Order had been made.

Lunatic's Property to be available for his Maintenance.

CIV. If it appear to any Justice or Justices by this Act authorized to make any Order for the Payment of Money for the Maintenance of any Lunatic that such Lunatic has an Estate, Real or Personal, applicable to his Maintenance, and more than sufficient to maintain his Family, if any, he or they shall, by an Order under his or their Hand and Seal or Hands and Seals, direct the Overseers of the Parish, or a Relieving Officer of the Parish or Union, or the Treasurer or some other Officer of the County to which such Lunatic is chargeable, or in which any Property of the Lunatic may be, or an Officer of the Asylum in which the Lunatic may be, to seize so much of any Money, and to seize and sell so much of the Goods and Chattels, and to take and receive so much of the Rents and Profits of the Lands and Tenements of such Lunatic and other Income of such Lunatic, as may be necessary to pay the Charges of the Examination, bringing before a Justice or Justices, Removal, Lodging, Maintenance, Clothing, Medicine, and Care of such Lunatic, accounting for the same to such Justice or Justices, such Charges having been first proved to the Satisfaction of such Justice or Justices, and the Amount set forth in such Order; and if any Trustee or other Person having the Possession, Custody, or Charge of any Property of such Lunatic, or if the Governor and Company of the Bank of *England*, or any other Body or Person having in their or his Hands any Stock, Interest, Dividend, or Annuity belonging or due to such Lunatic, pay any Money according to any such Order, or pay any Money without any such Order, to the Guardians of any Union

Union or Parish, or to any Overseer of any Parish not in a Union or under a Board of Guardians, or to the Treasurer of any County, or any other Officer of any County authorized to receive the same, to defray the Charges paid or incurred by or on behalf of such Parish, Union, or County for the Examination, bringing before a Justice or Justices, Removal, Lodging, Maintenance, Clothing, Medicine, and Care of such Lunatic, the Receipt of the Person authorized to receive such Money under such Order, or of such Guardians, Overseer, or Treasurer, or other Officer, shall be a good Discharge to such Trustee, Governor, and Company, or other Body or Person as aforesaid.

Liability of Relations of Pauper not to be affected.

CV. The Liability of any Relation or Person to maintain any Lunatic shall not be taken away or affected where such Lunatic is sent to or confined in any Asylum, registered Hospital, or licensed House by any Provision herein contained concerning the Maintenance of such Lunatic.

Persons aggrieved by Refusal of an Order may appeal to the Sessions.

CVI. If any Person feel aggrieved by any Refusal of an Order of any Justice or Justices as aforesaid, such Person may appeal to the next General or Quarter Sessions of the Peace for the County or Borough where the Matter of Appeal has arisen, the Person so appealing having given to the Justice or Justices against whom such Appeal is made Fourteen clear Days Notice of such Appeal, and such Sessions are hereby authorized and required to hear and determine the Matter of such Appeal in a summary Way, and their Determination shall be final and conclusive.

Party obtaining Order of Adjudication to send Copy thereof and Statement of Grounds to the Parish or County affected.

CVII. The Overseers of any Parish, and the Guardians of any Union or Parish, and the Clerk of the Peace of any County, obtaining any Order under this Act adjudging the Settlement of any Lunatic to be in any Parish, shall, within a reasonable Time after such Order has been made, send or deliver, by Post or otherwise, to the Overseers or Guardians of the Parish in which such Lunatic is adjudged to be settled, a Copy or Duplicate of such Order, and also a Statement in Writing under their or his Hands or Hand, or where they are the Guardians of a Union or Parish under the Hands of any Three or more of such Guardians, stating the Description and Address of the Overseers, Guardians, or Clerk of the Peace obtaining such Order, and the Place of Confinement of the Lunatic, and setting forth the Grounds of such Adjudication, including the Particulars of any Settlement or Settlements relied upon in support thereof; and on the Hearing of any Appeal against any such Order it shall not be lawful for the Respondents to go into or give Evidence of any other Grounds in support of such Order than those set forth in such Statement.

CVIII. If

Appeal against Order of Adjudication.

CVIII. If the Guardians of any Union or Parish, or the Overseers of any Parish, feel aggrieved by any such Order as aforesaid adjudging the Settlement of any Lunatic, they or he may appeal against the same to the next General Quarter Sessions of the Peace for the County in behalf of which such Order has been obtained, or in which the Union or Parish obtaining such Order is situate, or in case such Parish or Union extend into several Jurisdictions, then to the next General Quarter Sessions of the Peace for the County or Borough in which the Asylum, registered Hospital, or licensed House in which such Lunatic is or has been confined is situate, and such Sessions upon hearing the said Appeal shall have full Power finally to determine the Matter.

Copy of Depositions to be furnished on Application.

CIX. The Clerk to the Justices making any Order adjudging the Settlement of any Lunatic, or the Clerk of the Peace in the Case herein-after provided for, shall keep the Depositions upon which such Order was made, and shall within Seven Days furnish a Copy of such Depositions to any Party authorized to appeal against such Order, if such Party apply for such Copy, and pay for the same at the Rate of Twopence for every Folio of Seventy-two Words; provided that no Omission or Delay in furnishing such Copy of the Depositions shall be deemed or construed to be any Ground of Appeal against the Order: Provided also, that on the Trial of any Appeal against any such Order, no such Order shall be quashed or set aside either wholly or in part on the Ground that such Depositions do not furnish sufficient Evidence to support, or that any Matter therein contained or omitted raises an Objection to the Order, or Grounds on which the same was made: Provided also, that if the Justices who make any such Order have not any Clerk, they shall send or deliver the Depositions to the Clerk of the Peace of the County or Borough to the General Quarter Sessions whereof the Appeal against such Order is given by this Act, and the Party obtaining such Order shall, in such Statement of Grounds of Adjudication as aforesaid, state that such Justices have not any Clerk.

No Appeal if Notice not given within a certain Time after Notice of Order.

CX. No Appeal shall be allowed against any such Order if Notice in Writing of such Appeal be not sent or delivered by Post or otherwise to the Party on whose Application the Order was obtained within the Space of Twenty-one Days after the sending or Delivery, as herein-before directed, of a Copy or Duplicate of such Order and such Statement as herein-before mentioned, unless within such Period of Twenty-one Days a Copy of the Depositions shall have been applied for as aforesaid by the Party intending to appeal, in which Case a further Period of Fourteen Days after the sending of such Copy shall be allowed for the giving of such Notice of Appeal.

CXI. In

CXI. In every Case where Notice of Appeal against such Order is given the Appellant shall, with such Notice, or Fourteen Days at least before the First Day of the Sessions at which such Appeal is intended to be tried, send or deliver by Post or otherwise to the Respondent a Statement in Writing under their or his Hands or Hand, or where the Appellants are the Guardians of any Union or Parish, under the Hands of any Three or more of such Guardians, of the Grounds of such Appeal; and it shall not be lawful for the Appellant on the Hearing of any Appeal to go into or give Evidence of any other Grounds of Appeal than those set forth in such Statement.

Grounds of Appeal to be stated.

CXII. Upon the Hearing of any Appeal against any such Order no Objection whatever on account of any Defect in the Form of setting forth any Ground of Adjudication or Appeal in any such Statement shall be allowed, and no Objection to the Reception of legal Evidence offered in support of any such Ground alleged to be set forth in any such Statement shall prevail unless the Court be of opinion that such alleged Ground is so imperfectly or incorrectly set forth as to be insufficient to enable the Party receiving the same to inquire into the Subject of such Statement, and to prepare for Trial: Provided always, that in all Cases where the Court is of opinion that any such Objection to such Statement or to the Reception of Evidence ought to prevail, it shall be lawful for such Court, if it so think fit, to cause any such Statement to be forthwith amended by some Officer of the Court, or otherwise, on such Terms as to Payment of Costs to the other Party, or postponing the Trial to another Day in the same Sessions, or to the next subsequent Sessions, or both Payment of Costs and Postponement, as to such Court appears just and reasonable.

As to the Sufficiency of Statement of Grounds of Adjudication or Appeal.

Power to amend Statement.

CXIII. If, upon the Trial of any Appeal against any such Order, or upon the Return to a Writ of Certiorari, any Objection be made on account of any Omission or Mistake in the drawing up of such Order, and it be shown to the Satisfaction of the Court that sufficient Grounds were in proof before the Justices making such Order to have authorized the drawing up thereof free from the said Omission or Mistake, it shall be lawful for the Court, upon such Terms as to Payment of Costs as it think fit, to amend such Order and to give Judgment as if no such Omission or Mistake had existed: Provided always, that no Objection on account of any Omission or Mistake in any such Order brought up upon a Return to a Writ of Certiorari shall be allowed, unless such Omission or Mistake have been specified in the Rule for issuing such Writ of Certiorari.

Power for Court to amend Order on account of Omission or Mistake.

Proviso.

CXIV. If either of the Parties to the said Appeal shall have included in the Statement of Grounds of Adjudication or of Appeal sent

Party making frivolous or vexatious

Statement of Grounds liable to pay Costs.

sent to the opposite Party any Ground or Grounds in support of the Order or of Appeal which, in the Opinion of the Court determining the Appeal, is or are frivolous and vexatious, such Party shall be liable, at the Discretion of the said Court, to pay the whole or any Part of the Costs incurred by the other Party in disputing any such Ground or Grounds.

Party losing Appeal to pay such Costs as Court may direct.

CXV. Upon every such Appeal the Court before whom the same is brought shall and may, if they think fit, order and direct the Party against which the same is decided to pay to the other such Costs and Charges as may to such Court appear just and reasonable, and shall certify the Amount thereof.

Decisions of Courts upon hearing Appeals to be final.

CXVI. The Decision of the Court upon the Hearing of any Appeal against any such Order, as well upon the Sufficiency and Effect of the Statement of the Grounds in support of the Order and Appeal, and of the Copy or Duplicate of the Order sent to the Appellant Parish or County, as upon the amending or refusing to amend the Order as aforesaid, or the Statement of Grounds, shall be final, and shall not be liable to be reviewed in any Court by means of a Writ of Certiorari or Mandamus or otherwise.

Abandonment of Orders.

CXVII. In any Case in which an Order has been made as aforesaid, and a Copy or Duplicate thereof sent as herein required, it shall and may be lawful for the Party who has obtained such Order, whether any Notice of Appeal against such Order has or has not been given, and whether any Appeal has or has not been entered, to abandon such Order, by Notice in Writing under the Hand or Hands of such Party, or, where such Order has been obtained by the Guardians of any Union, under the Hands of any Three or more of such Guardians, to be sent by Post or delivered to the Appellant or the Party entitled to appeal, and thereupon the said Order and all Proceedings consequent thereon shall become and be null and void to all Intents and Purposes as if the same had not been made, and shall not be in any way given in Evidence, in case any other Order for the same Purposes shall be obtained: Provided always, that in all Cases of such Abandonment the Party so abandoning shall pay to the Appellant or the Party entitled to appeal the Costs which he has incurred by reason of such Order and of all subsequent Proceedings thereon; which Costs the proper Officer of the Court before whom any such Appeal (if it had not been abandoned) might have been brought shall, upon Application, tax and ascertain at any Time, whether the Court be sitting or not, upon Production to him of such Notice of Abandonment, and upon Proof to him that such reasonable Notice of Taxation, together with a Copy of the Bill of Costs, has been given

given to the Overseers, Guardians, or Clerk of the Peace abandoning such Order, as the Distance between the Parties shall in his Judgment require; and thereupon the Sum allowed for Costs, including the usual Costs of Taxation, which such Officer is hereby empowered to charge and receive, shall be endorsed upon the said Notice of Abandonment, and the said Notice so endorsed shall be filed among the Records of the said Court.

Provisions of this Act as to Expenses to extend to Pauper Lunatics sent to Asylums under any other Act, &c.

CXVIII. The Provisions of this Act for and concerning the Payment of Expenses incurred or to be incurred in relation to Pauper Lunatics shall be applicable with respect to Persons confined as Pauper Lunatics sent to any Asylum, registered Hospital, or licensed House under any other Act authorizing their Reception therein as Pauper Lunatics, and (save as herein otherwise provided concerning any Lunatic who shall appear to have an Estate, Real or Personal, applicable to his Maintenance) with respect to all other Lunatics sent to any Asylum, registered Hospital, or licensed House under any Order of a Justice or Justices made under this Act, or the Acts hereby repealed, or any of them, as if such last-mentioned Lunatics were at the Time of being so sent actually chargeable to the Parish from which they have been or shall be sent.

In Cases of Inquiries and Appeals Guardians and Officers interested to have Access to the Lunatic.

CXIX. In every Case of an Inquiry, Investigation, Dispute, or Appeal as to the Parish in which a Pauper Lunatic is settled, the Guardians, Clerks of the Guardians, Relieving Officers, and Overseers of every Union including any Parish, or of any Parish, which Parish respectively is interested in such Inquiry, Investigation, Dispute, or Appeal, and every Person duly authorized by them respectively, and the Clerk of the Peace of any County interested in such Inquiry, Investigation, Dispute, or Appeal, and every Person duly authorized by such Clerk of the Peace, shall at all reasonable Times be allowed free Access, in the Presence of the Medical Attendant, to the Lunatic, to examine him as to the Premises.

Expenses of the Burial, Removal, or Discharge of a Pauper.

CXX. On the Death, Discharge, or Removal of any Pauper from any Asylum, registered Hospital, or licensed House, the necessary Expenses attending the Burial, Discharge, or Removal of such Pauper shall be borne by the Union or Parish (if any) to which such Pauper is chargeable, as herein-before provided, or if such Pauper be chargeable to a County as herein-before provided, then by such County, and shall be paid by the Guardians of such Union or Parish, or by the Overseers of such Parish if not in a Union or under a Board of Guardians, or by the Treasurer of such County.

Money ordered to be paid by any Clerk, Over-

CXXI. If any Overseer, or any Treasurer of any County, upon whom any Order of Justices for the Payment of Money under the Provisions

seer, Relieving Officer, or Treasurer to be levied (in case of Neglect to pay) by Distress or Action.

visions of this Act or of any Act hereby repealed is made, shall refuse or neglect for the Space of Twenty Days next after due Notice of such Order to pay the Money so ordered to be paid, the said Money, together with the Expenses of recovering the same, shall be recovered by Distress and Sale of the Goods of the Overseer or Treasurer so refusing or neglecting, by Warrant under the Hands and Seals of any Two Justices hereby authorized to make the Order for Payment of the Money aforesaid, or by an Action at Law, or by any other Proceeding in any Court of competent Jurisdiction, against such Overseer or Treasurer; and if the Guardians upon whom any such Order is made refuse or neglect for such Time as aforesaid to pay the Money so ordered to be paid, the same, together with the Expenses of recovering the same, may be recovered by an Action at Law or by any other Proceeding in any such Court; and in case of any such Action or Proceeding no Objection shall be taken to any Default or Want of Form in any Order of Admission or Maintenance, or in any Certificate or Adjudication under this Act, if such Order or Adjudication shall not have been appealed against, or if appealed against shall have been affirmed.

Miscellaneous.

Medical Men signing false Certificates, and Persons not being Medical Men giving Certificates as such, guilty of Misdemeanor.

CXXII. Any Physician, Surgeon, or Apothecary who shall sign any Certificate contrary to any of the Provisions herein contained shall for every such Offence forfeit any Sum not exceeding Twenty Pounds; and any Physician, Surgeon, or Apothecary who shall falsely state or certify anything in any Certificate under this Act, and any Person who shall sign any Certificate under this Act, in which he shall be described as a Physician, Surgeon, or Apothecary, not being a Physician, Surgeon, or Apothecary respectively within the Meaning of this Act, shall be guilty of a Misdemeanor.

Penalty on Officers or Servants ill-treating Lunatics.

CXXIII. If any Superintendent, Officer, Nurse, Attendant, Servant, or other Person employed in any Asylum strike, wound, ill-treat, or wilfully neglect any Lunatic confined therein, he shall be guilty of a Misdemeanor, and shall be subject to Indictment for every such Offence, or to forfeit for every such Offence, on a summary Conviction thereof before Two Justices, any Sum not exceeding Twenty Pounds nor less than Two Pounds.

Penalty on Officers, &c. allowing Lunatics to escape or be at large without Permission.

CXXIV. If any Superintendent, Officer, or Servant in any Asylum shall, through wilful Neglect or Connivance, permit any Patient in any Case to quit or escape from such Asylum, or be at large without such Order as in this Act mentioned, (save in the Case of temporary Absence authorized under the Regulations of the Committee of Visitors,) or shall secrete, or abet or connive at the Escape of any such Person, he shall for every such Offence forfeit and pay any Sum not more than Twenty Pounds nor less than Two Pounds.

CXXV. Every

CXXV. Every Committee of Visitors may sue and be sued in the Name of their Clerk; and no Action brought or commenced by or against any such Committee of Visitors in the Name of their Clerk shall abate or be discontinued by the Death or Removal of such Clerk, but the Clerk for the Time being to the Visitors shall always be deemed Plaintiff or Defendant in such Action, as the Case may be.

Visitors may sue and be sued in the Name of their Clerk, whose Removal shall not abate Action.

CXXVI. It shall be lawful for the Secretary of the Commissioners in Lunacy, by their Order, to prosecute or proceed against any Person for any Offence against this Act, and for the Clerk to any Committee of Visitors of any Asylum, by their Order, to prosecute or proceed against any Person for any Offence against this Act committed by any Officer or Servant belonging thereto or employed therein; and such Secretary or Clerk acting as the Prosecutor or Complainant in any such Prosecution or Proceeding shall be competent to be a Witness therein, in the same Manner as if he were not such Prosecutor or Complainant; and no such Prosecution or Proceeding shall abate or be discontinued by reason of the Death or Removal of such Secretary or Clerk, but his Successor shall come and be in his Place.

Secretary of Commissioners in Lunacy and Clerks to Visitors may prosecute for Offences.

CXXVII. All Penalties and Forfeitures imposed by this Act shall and may be recovered summarily before Two Justices in manner provided by the Act of the Twelfth Year of Her Majesty, "to facilitate "the Performance of the Duties of Justices of the Peace out of Sessions, "within *England* and *Wales*, with respect to summary Convictions and "Orders;" and such Penalties and Forfeitures, when recovered upon Proceedings taken by the Secretary of the Commissioners, shall be paid to such Secretary, and be applied and accounted for by him in like Manner as Money received for Licences for the Reception of Lunatics granted by the said Commissioners, and when recovered upon Proceedings taken by the Clerk to any Committee of Visitors of any Asylum shall be paid to the Treasurer of such Asylum, to be by him applied for the Purposes of such Asylum in such Manner as such Committee may think fit and direct, and in all other Cases shall be paid to the Treasurer of the County or Borough for which the Justices by whom the Person convicted of such Offence have acted in such Conviction.

Penalties to be recovered in manner provided by 11 & 12 Vict. c. 43.

Application of Penalties.

CXXVIII. Any Person who thinks himself aggrieved by any Order or Determination of any Justices under this Act, other than Orders adjudicating as to the Settlement of any Lunatic Pauper, and providing for his Maintenance, may, within Four Calendar Months after such Order or Determination made or given, appeal to the General or Quarter Sessions, the Person appealing having first given at least Fourteen clear Days Notice in Writing of such Appeal and the Nature and Matter thereof to the Person appealed against, and forthwith after such Notice entering into a Recognizance before

Power of Appeal to the Quarter Sessions.

 some

some Justice of the Peace, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereupon; and the said General or Quarter Sessions, upon Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Appeal, or, if they think proper, adjourn the Hearing thereof until the next General or Quarter Sessions, and if they see Cause may reduce any Penalty or Forfeiture to not less than One Fourth of the Amount imposed by this Act, and may order any Money to be returned which shall have been levied in pursuance of such Order or Determination, and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determinations of the said General or Quarter Sessions shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever.

Council of every Borough to exercise the same Duties, &c. of erecting Asylums as are conferred upon Justices, &c.

CXXIX. The Council of every Borough which shall within Six Months after the passing of this Act, by Writing under their Common Seal, give Notice to One of Her Majesty's Principal Secretaries of State of the Intention of such Council to take upon itself the Duties, Powers, and Authorities herein-before imposed or conferred upon or given to the Justices of the Borough, shall from and after the giving of such Notice be subject to and have and exercise all the Duties, Powers, and Authorities of and for erecting and providing Asylums and carrying into execution the Purposes of this Act which by this Act are imposed or conferred upon or given to the Justices of such Borough, or upon any Committee of Visitors to be appointed as directed by this Act, and all Liabilities and Contracts incurred or entered into by such Justices or Committee on behalf of such Borough under this Act, or any Act hereby repealed, shall thereupon become transferred to and obligatory upon such Council to the same Extent as they would have been binding or obligatory on such Justices or Committee, and all Matters and Things which in this Act are required to be done at any General or Quarter Sessions, or at any Meeting of the Justices of such Borough, may and shall thenceforth be done at any Meeting of the Council of such Borough, and all Notices which by this Act are required to be given to or by the Clerk of the Peace shall and may thenceforth be given to or by the Town Clerk of such Borough.

Committee appointed by Council to have same Powers as Committee of Visitors.

CXXX. It shall and may be lawful for the Council of any such Borough to confer upon any Committee to be appointed by such Council such of the Powers and Authorities which by this Act are conferred upon any Committee of Visitors to be appointed thereunder, as to such Council shall seem fit.

CXXXI. Every

CXXXI. Every City, Town, Liberty, Parish, Place, or District, not being a Borough or Part of a Borough within the Meaning of this Act, shall for all the Purposes of this Act be annexed to and be treated and rated as Part of the County within which the same is situate, or if such City, Town, Liberty, Parish, Place, or District be situate partly in one County and partly in another, then to and as Part of such one of the same Counties as such City, Town, Liberty, Parish, Place, or District may have been annexed to under the said Act of the Eighth and Ninth Years of Her Majesty, hereby repealed, or if not already so annexed, then to and as Part of such one of the same Counties as One of Her Majesty's Principal Secretaries of State shall by Writing under his Hand and Seal direct, and shall contribute rateably to the Expenses of the Asylum of the County to which it is or shall be so annexed, whether such Asylum have been provided before or after the passing of this Act, and shall for the Purposes of this Act be within the Jurisdiction of the Justices of such County; and in every Case in which any such City, Town, Liberty, Parish, Place, or District as aforesaid is or shall be annexed to a County in which an Asylum has been or shall have been already erected or provided, and such City, Town, Liberty, Parish, Place, or District shall not have contributed as provided by Law towards the Expenses incurred in erecting or providing such Asylum, the present or any future Committee of Visitors of such Asylum shall, as soon as conveniently may be after the passing of this Act, or after such Annexation, fix a Sum to be paid by the City, Town, Liberty, Parish, Place, or District so annexed towards the Expenses then already incurred in erecting or providing such Asylum, in due Proportion to the Population of such City, Town, Liberty, Parish, Place, or District, and of the County to which it shall be annexed, according to the last Returns under the Authority of Parliament, and the same shall be paid by every such City, Town, Liberty, Parish, Place, or District to the Treasurer of such Asylum, and shall be levied and raised by such City, Town, Liberty, Parish, Place, or District by a Rate to be made therein in the same Manner as any Rate to be made therein for the Purpose of levying or raising any other Monies hereby directed to be levied and raised for the Purposes of this Act; and the Justices for the County to which such City, Town, Liberty, Parish, Place, or District is or shall be annexed as aforesaid, in General or Quarter Sessions, are hereby authorized and required to make such Rate as aforesaid; and the Sum so paid by such City, Town, Liberty, Parish, Place, or District shall be applied by the Treasurer of the Asylum to whom the same shall have been paid in such Manner as the Committee of Visitors shall direct, according to the Provisions and for carrying into execution the Purposes of this Act.

Every City, Town, Liberty, &c., not being a Borough within the Meaning of this Act, to be annexed to and rated as Part of the County within which the same is situate.

CXXXII. In

Interpretation of Terms.

CXXXII. In this Act the Words and Expressions following shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

"County" shall mean every County, Riding, and Division of a County, County of a City, County of a Town, and shall include every City, Town, Parish, Place, or District by this Act annexed to a County for the Purposes hereof:

"Borough" shall mean every Borough Town and City Corporate having a Quarter Sessions, Recorder, and Clerk of the Peace:

"Parish" shall mean any Parish, Township, Vill, Tithing, Extra-parochial Place, or Place maintaining its own Poor:

"Union" shall mean a Union of Parishes formed under the Act of the Fifth Year of King *William* the Fourth, intituled *An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in* England *and* Wales, or under the Act of the Twenty-second Year of King *George* the Third, intituled *An Act for the better Relief and Employment of the Poor*, or incorporated or united for the Relief or Maintenance of the Poor under any Local Act:

"Lunatic" shall mean and include every Person of unsound Mind, and every Person being an Idiot:

"Pauper" shall mean every Person maintained wholly or in part by or chargeable to any Parish, Union, or County:

"Justice" shall mean Justice of the Peace:

"Officiating Clergyman of the Parish" shall include the Chaplain of the Workhouse of the same Parish, or of the Workhouse of a Union to which such Parish belongs:

"Guardians" shall mean Guardians, Governors, Directors, Managers, or acting Guardians, entitled to act in the ordering of Relief to the Poor from Poor Rates:

"Overseer" shall mean Overseer of the Poor of any Parish, or any Person acting as such:

"Relieving Officer" and "Clerk of the Guardians" shall respectively mean such Relieving Officer and Clerk of the Guardians, and any Persons acting as such respectively:

"Clerk of the Peace" shall mean every Clerk of the Peace, and every Person acting as such, or any Deputy duly appointed:

"Physician," "Surgeon," and "Apothecary" shall respectively mean a Physician, Surgeon, and Apothecary duly authorized or licensed to practise as such by or as a Member of some College, University, Company, or Institution legally established, and qualified to grant such Authority or Licence, in some Part of the United Kingdom, or having been in Practice as an Apothecary in *England* or *Wales* on or before the Fifteenth Day of *August*

One

One thousand eight hundred and fifteen, and being in actual Practice as a Physician, Surgeon, or Apothecary:

"Treasurer of the Borough" shall mean every Officer who has the Custody of any Monies raised by a Borough Rate:

"Treasurer of the County" shall mean every Officer who has the Custody of any County Rate, or of any Rate of any City, Town, Parish, Place, or District by this Act annexed to a County for the Purposes hereof:

"County Rate" shall mean a County Rate and any Funds assessed upon or raised in or belonging to any County in the Nature of County Rates, and applicable to the Purposes to which County Rates are applicable:

"Borough Rate" shall mean a Borough Fund or Rate, and any Fund assessed upon or raised in or belonging to any Borough in the Nature of Borough Rates, and applicable to the Purposes to which Borough Rates are applicable:

"Asylum" shall mean any Asylum, House, Building, or Place already erected or provided under the Provisions of an Act passed in the Forty-eighth Year of King *George* the Third, Chapter Ninety-six, or an Act of the Ninth Year of King *George* the Fourth, Chapter Forty, or the said Acts hereby repealed, or any of them, or subject to the Provisions of the said Acts or any of them, or to be erected or provided under the Provisions of this Act. 48 G. 3. c. 96. 9 G. 4. c. 40.

CXXXIII. Nothing in this Act shall affect the Provisions of any of the following Acts; (that is to say,) an Act of the Session holden in the Thirty-ninth and Fortieth Years of King *George* the Third, Chapter Ninety-four; an Act of the Session holden in the First and Second Years of Her Majesty, Chapter Fourteen; and an Act of the Session holden in the Third and Fourth Years of Her Majesty, Chapter Fifty-four; or any other Provisions relating to Criminal Lunatics. Nothing to affect Provisions of 39 & 40 G. 3. c. 94., 1 & 2 Vict. c. 14., or 3 & 4 Vict. c. 54. as to Criminal Lunatics.

CXXXIV. This Act shall commence and come into operation on the First Day of *November* One thousand eight hundred and fifty-three. Commencement of Act.

CXXXV. This Act shall extend only to *England* and *Wales*. Extent of Act.

CXXXVI. This Act may be cited as "The Lunatic Asylums Act, 1853." Short Title.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

FORM of AGREEMENT for uniting under the foregoing Act for the Purpose of erecting or providing an Asylum for the Reception of Lunatics.

IT is agreed this Day of by and between the Committees of Justices of the Peace for the County [*or* Counties] and the Borough [*or* Boroughs] of and the Committee of the Subscribers of the Lunatic Hospital of [*as the Case may be*], severally appointed to treat for the uniting of the said County and Borough [*or* Counties and Boroughs] [and Lunatic Hospital, *as the Case may be*], for the Purposes of an Act passed in the Year of Her Majesty Queen Victoria, intituled "An Act" [*here insert the Title of this Act*], that the said County [*or* Counties] and Borough [*or* Boroughs, and the said Lunatic Hospital, *as the Case may be*], shall henceforth be united for the Purposes of the said Act; and that an Asylum for the Reception of Lunatics, with all necessary Buildings, Courts, Yards, and Outlets, shall be immediately provided and properly fitted up and accommodated for the Purposes mentioned in the said Act; and that the necessary Expenses attending the providing, building, fitting up, Repairs, and Maintenance of the said Asylum shall be defrayed by the said County [*or* Counties] and Borough [*or* Boroughs and Lunatic Hospital], so united, in the following Proportions; (that is to say,)

The County of Five Ninths of the said Expenses.
The Borough of Two Ninths of the same.
The Lunatic Hospital of Two Ninths of the same [*as the Case may be*].

And it is further agreed, that the Committee of Visitors to superintend the building, Erection, and Management of the said Asylum shall be appointed in the following Proportions; the Justices of the Peace for the said County of shall appoint* , the Justices of the Peace for the Borough of shall appoint* , and the Subscribers to the said Lunatic Hospital of shall appoint* and the Proportions in which the said Committee of Visitors are to be appointed as aforesaid may be from Time to Time varied, with the Consent in Writing under the Hands of the greater Number of Visitors of the said County and Borough, [*or* each of the said Counties and Boroughs], and of the greater Number of the Visitors appointed by the said Body of Subscribers,

* *Insert in these Blanks either the Number or the Proportion of Visitors; and where the Number of the Committee of Visitors is not fixed in the Agreement, but only the Proportions, a Provision shall be made by the Agreement for fixing from Time to Time the Number of such Committee.*

and

and with the Consent of the Commissioners in Lunacy: And hereunto we, the undersigned, being the major Part of each of the Committees of Justices of the Peace for the said County and Borough, [*or* Counties and Boroughs] respectively, and the major Part of the Committee of Subscribers to the said Lunatic Hospital, do, on behalf of the said County and Borough [*or* Counties and Boroughs] and Lunatic Hospital, set our Hands and Seals, this Day of in the Year

SCHEDULE (B.)

FORM of MORTGAGE and CHARGE upon the County or Borough Rates for securing the Money borrowed.

WE, the Chairman of the Court of Quarter Sessions of the Peace of the County of holden at the Day of and Two other of Her Majesty's Justices of the Peace for the said County, assembled in the said Court, [*or* We, the Mayor and Council of the Borough of *as the Case shall be,*] in pursuance of the Powers to us given by an Act passed in the Year of Her Majesty Queen Victoria, intituled "An Act" [*here insert the Title of this Act*], do hereby mortgage and charge all the Rates and Funds to be raised and paid within the said County [*or* Borough, *as the Case may be*], under the Description of County Rates [*or* Borough Fund or Rates,] with the Payment of the Sum of which of hath advanced and paid towards defraying the Expenses of purchasing Lands, and for building and repairing, *&c.* [*as the Case shall be*] a Lunatic Asylum for the said County [*or* Borough, *or* the united Counties and Boroughs of, *&c.*, *as the Case may be*], and we do hereby grant and confirm the same Rates and Funds unto the said his Executors, Administrators, and Assigns, for securing the Repayment of the said Sum of and Interest for the same after the Rate of per Centum per Annum, and do order the Treasurer for such County [*or* Borough, *&c.*, *as the Case shall be,*] to pay the Interest of the said Sum of half-yearly, as the same shall become due, until the Principal shall be discharged, at the Times and in the Manner agreed upon between the said and the said Justices [*or* the said Mayor and Council, *as the Case may be,*] pursuant to the Directions of the said Act.

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SCHEDULE (C.) No. 1.

NAMES of all Pauper Lunatics in the Asylum at for the County [*or* Borough, *&c., as the Case may be,*] of on the Day of 18 .

Names of those chargeable to a Parish.	Date of Admission.	Names of those chargeable to County.	Date of Admission.	Names of Criminals.

This is a correct Return.

(Signed)

Dated Clerk of the Asylum.

SCHEDULE (C.) No. 2.

NAMES of all private Lunatics in the Asylum at for the County [*or* Borough, *&c., as the Case may be,*] of on the Day of 18 .

Names.	Date of Admission.

This is a correct List.

(Signed)

Dated Clerk of the Asylum.

SCHE-

SCHEDULE (D.)

FORM of ANNUAL RETURN.

A TRUE LIST of all LUNATICS, IDIOTS, and other Persons of unsound Mind, chargeable to the Common Fund, or to the Parishes comprised within [such Part of] the Union [as is situate] [*or* to the Parish of] in the County of specifying the Names, Sex, and Age of each, and whether dangerous or otherwise, and for what Length of Time they have been supposed to be of unsound Mind, and where detained, or how otherwise disposed of.*

Name.	Age.	Sex.	Parish to which chargeable.	Where maintained.					Weekly Cost of Maintenance and Clothing.	Whether lunatic or idiot.	Dangerous to himself or others.	Of dirty Habits.	For what Length of Time supposed to be of unsound Mind.	Observations.
				In a County or Borough Asylum, and what Asylum, and when sent thither.	In a registered Hospital or licensed House, and where, and when sent thither.	In the Workhouse.	In Lodgings, or boarded out, and where, and with whom, by Name.	Residing with Relatives, and where, and with whom, by Name.						

Signed by me this Day of 18 .

A.B.

Clerk to the Board of Guardians of the said Union,
[*or* Overseer of the said Parish]

* *Lunatics chargeable to the Common Fund, who are in the Workhouse, should be entered as in the County where the Workhouse is situate; and those who are not in the Workhouse, as in the County in which they reside.*

SCHEDULE (E.)

County of
Union [*or* Parish] of
District of

QUARTERLY LIST of LUNATIC PAUPERS within the District of the Union of [*or* the Parish of] in the County *or* Borough of not in any Asylum, registered Hospital, or licensed House

NAME.	Sex.	Age.	Form of mental Disorder.	Duration of present Attack of Insanity, and, if idiotic, whether or not from Birth.	Where and with whom resident.	Date of Visit.	In what Condition, and if ever restrained, why, by what Means, and how often.

I declare that I have personally examined the several Persons whose Names are specified in this List, on the Days set opposite to their Names, and that they are all [*or* all except *A.B.*, *C.D.*, and *E.F.*] properly taken care of, and may properly remain out of an Asylum, and that these are the only Pauper Lunatics, to the best of my Knowledge, in the District of the Union [*or* in the Parish] of who are not in an Asylum, registered Hospital, or duly licensed House.

(Signed) *A.B.*
Medical Officer of the District of the Union [*or* Parish] of

Dated the Day of One thousand eight hundred and

SCHE-

SCHEDULE (F.) No. 1.

ORDER for the RECEPTION of a PAUPER PATIENT.

I *C.D.* [*in the Case of a single Justice of the Peace, or in the Case of Two Justices, or of a Clergyman and Relieving Officer, &c.,* We *C.D.* and *E.F.*], the undersigned, having called to my [*or* our] Assistance a Physician, [*or* Surgeon, *or* Apothecary, *as the Case may be,*] and having personally examined *A.B.*, a Pauper, [*omit the Words* "a Pauper" *when the Lunatic is not a Pauper,*] and being satisfied that the said *A.B.* is a Lunatic [*or* an Idiot, *or* a Person of unsound Mind,] [*add, where the Lunatic is sent as being wandering at large, the Words* "wandering at large," *and in the Case of a Lunatic sent by virtue of the Authority given to Two Justices, add* "not under proper Care and Control," *or* "and is cruelly treated [*or* neglected] by the Person having the Care or Charge of him," *as may appear to the Justices to be the Case*], and a proper Person to be taken charge of and detained under Care and Treatment, hereby direct you to receive the said *A.B.* as a Patient into your Asylum [*or* Hospital, *or* House]. Subjoined is a Statement respecting the said *A.B.*

(Signed) *C.D.*
A Justice of the Peace for the City *or* Borough of [*or* an *or* the Officiating Clergyman of the Parish of].

(Signed) *E.F.*
The Relieving Officer of the Union *or* Parish of [*or* an Overseer of the Parish of].

* To be signed by Two Justices, where required by the foregoing Act.

Dated the Day of One thousand eight hundred

To Superintendent of the Asylum for the County of *or* the Lunatic Hospital of *or* Proprietor of the licensed House of [*describing the Asylum, Hospital, or House*].

NOTE.—*Where the Order directs the Lunatic to be received into any Asylum other than an Asylum of the County or Borough in which the Parish or Place from which the Lunatic is sent is situate, or into a registered Hospital or licensed House, it should state that the Justice or Justices or other Persons making the Order is or are satisfied that there is no Asylum of such County or Borough, or that the Asylum or Asylums thereof is or are full; or (as the Case may require) the special Circumstances by reason whereof the Lunatic cannot conveniently be taken to an Asylum for such first-mentioned County or Borough.*

STATEMENT.

[*If any Particulars in this Statement be not known, the Fact to be so stated.*]

Name of Patient, and Christian Name, at Length.
Sex and Age.
Married, single, or widowed.
Condition of Life, and previous Occupation (if any).
The Religious Persuasion, as far as known.
Previous Place of Abode.
Whether first Attack.
Age (if known) on first Attack.
When and where previously under Care and Treatment.
Duration of existing Attack.
Supposed Cause.
Whether subject to Epilepsy.
Whether suicidal.
Whether dangerous to others.
Parish or Union to which the Lunatic is chargeable (if a Pauper or destitute Lunatic).
Name and Christian Name and Place of Abode of the nearest known Relative of the Patient, and Degree of Relationship (if known).

I certify that to the best of my Knowledge the above Particulars are correctly stated.

(Signed)
[*In the Case of a Pauper, to be signed by the Relieving Officer or Overseer.*]

SCHEDULE (F.) No. 2.

ORDER for the RECEPTION of a PRIVATE PATIENT.

I, the undersigned, hereby request you to receive *A.B.*, a Lunatic, [*or* an Idiot, *or* a Person of unsound Mind,] as a Patient into your Asylum. Subjoined is a Statement respecting the said *A.B.*

(Signed) Name.
Occupation (if any).
Place of Abode.
Degree of Relationship (if any), or other Circumstance of Connexion with the Patient.

Dated this Day of One thousand eight hundred and

To Superintendent of the Asylum for the County [*or* Borough] of [*describing the Asylum*].

STATEMENT.

STATEMENT.

[*If any of the Particulars in this Statement be not known, the Fact to be so stated.*]

Name of Patient, with Christian Name, at Length.
Sex and Age.
Married, single, or widowed.
Condition of Life, and previous Occupation (if any).
The Religious Persuasion, as far as known.
Previous Place of Abode.
Whether first Attack.
Age (if known) on first Attack.
When and where previously under Care and Treatment.
Duration of existing Attack.
Supposed Cause.
Whether subject to Epilepsy.
Whether suicidal.
Whether dangerous to others.
Whether found lunatic by Inquisition, and Date of Commission or Order for Inquisition.
Special Circumstances (if any) preventing the Patient being examined, before Admission, separately by Two Medical Practitioners.

(Signed) Name.

Where the Person signing the Statement is not the Person who signs the Order, the following Particulars concerning the Person signing the Statement are to be added; viz.

Occupation (*if any*).
Place of Abode.
Degree of Relationship (*if any*), or other Circumstances of Connexion with the Patient.

SCHEDULE (F.) No. 3.

FORM of MEDICAL CERTIFICATE

I, the undersigned, [*here set forth the Qualification entitling the Person certifying to practise as a Physician, Surgeon, or Apothecary, ex. gra.,* "being a Fellow of the Royal College of Physicians in London,"] and being in actual Practice as a [Physician, Surgeon, *or* Apothecary, *as the Case may be,*] hereby certify, That I, on the Day of at [*here insert the Street and Number of the House (if any) or other like Particulars,*] in the County of , [*in any Case where more than One Medical Certificate is required by this Act, here insert* separately from any other Medical Practitioner,] personally examined *A.B.* of [*insert Residence and Profession or Occupation, if any,*] and that the said *A.B.* is a [Lunatic, *or* an Idiot, *or* a Person of unsound Mind,] and a proper Person

to be taken charge of and detained under Care and Treatment, and that I have formed this Opinion upon the following Grounds; viz.

1. Facts indicating Insanity observed by myself [*here state the Facts*].
2. Other Facts (*if any*) indicating Insanity communicated to me by others [*here state the Information, and from whom*].

(Signed)

Place of Abode.

Dated this Day of One thousand eight hundred and

SCHEDULE (F.) No. 4.

Notice of Admission.

I hereby give you Notice, That *A.B.* was admitted into this Asylum as a private [*or* Pauper] Patient on the Day of and I hereby transmit a Copy of the Order and Statement and Medical Certificates [*or* Certificate] on which he was received.

[*If a private Patient be received upon One Certificate only, the special Circumstances which have prevented the Patient from being examined by Two Medical Practitioners to be here stated, as in the Statement accompanying the Order for Admission.*]

Subjoined is a Statement with respect to the mental and bodily Condition of the above-named Patient.

(Signed)

Clerk of Asylum.

Dated the Day of One thousand eight hundred and

Statement.

I have this Day [*some Day not less than Two clear Days after the Admission of the Patient*] seen and examined the Patient mentioned in the above Notice, and hereby certify that with respect to mental State he [*or* she] , and that with respect to bodily Health and Condition he [*or* she]

(Signed)

Medical Officer of Asylum.

Dated the Day of One thousand eight hundred and

SCHE-

SCHEDULE (F.) No. 5.

FORM of NOTICE of DISCHARGE, REMOVAL, or DEATH.

I HEREBY give you Notice, That Pauper [*or* a private] Patient admitted into this Asylum on the Day of was discharged therefrom recovered [*or* relieved, *or* not improved,] *or* was removed to [*mentioning the Asylum, &c.*] relieved [*or* not improved], by the Authority of , *or* died therein in the Presence of ,] on the Day of .

(Signed)
Clerk of the Asylum.

Dated the Day of One thousand eight hundred and

In case of Death, add, "I certify that the apparent Cause of Death of the said [as ascertained by post mortem Examination (*if so*),] was"

(Signed)
Medical Officer of the Asylum.

SCHE-

SCHEDULE (G.) No. 1.

REGISTRY OF ADMISSIONS.

REGISTER OF PATIENTS.*

Date of last previous Admission, if any.	No. in Order of Admission.	Date of Admission.	Christian and Surname at Length.	Sex. M.	Sex. F.	Age.	Condition as to Marriage. Married.	Condition as to Marriage. Single.	Condition as to Marriage. Widowed.	Condition of Life, and previous Occupation.	Previous Place of Abode.	County, Union, or Parish to which chargeable.	By whose Authority sent.	Dates of Medical Certificates, and by whom signed.	Form of mental Disorder.	Supposed Cause of Insanity.	Bodily Condition, and Name of Disease, if any.	Epileptics.	Congenital Idiots.	Duration of existing Attacks. Years.	Duration of existing Attacks. Months.	Duration of existing Attacks. Weeks.	Number of previous Attacks.	Age on first Attack.	Date of Discharge, Removal, or Death.	Discharged or removed. Recovered.	Discharged or removed. Relieved.	Discharged or removed. Not improved.	Discharged or removed. Died.	Observations.
	1	1846: Jan. 3	William Johnson	1	–	23	–	1	–	Carpenter	–	–	–	–	Melancholia	–	–	–	–	–	4	–	2	17	1846: Sept. 1	1				
	2																													
	3																													
	4	1848: June 9	William Johnson	1	–	25	–	1	–	–	–	–	–	–	–	–	–	–	–	7	–	–	3	–	1848: Dec. 2	1				
	5																													
	6																													
	7	1852: May 6	William Johnson	1	–	29	1	–	–	–	–	–	–	–	–	–	–	–	–	3	–	–	4	–	1853: June 8					
	8																													

*In the Case of an Asylum receiving both private and Pauper Patients, a separate Register in the above Form to be kept for each Class.

SCHEDULE (G.) No. 2.

REGISTER of DISCHARGES, REMOVALS, and DEATHS.*

Date of Death, Discharge, or Removal.	Date of last Admission.	No. in Register of Patients.	Christian and Surname at Length.	Sex.		Discharged.						Removal, and to what Asylum, registered Hospital, or licensed House.				Died.		Assigned Cause of Death.	Age at Death.		Observations.
						Recovered.		Relieved.		Not improved.		Relieved.		Not improved.							
				M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F	M.	F.		M.	F.	
1846: Sept. 1 -	1846: Jan. 3 -	1	William Johnson -	1	—	1															
1848: Dec. 2 -	1848: June 9 -	4	William Johnson -	1	—	1															
1853: June 8 -	1852: May 6 -	7	William Johnson -	1	—	—	—	—	—	—	—	—	—	—	—	1	—	Phthisis -	27		

* In the Case of an Asylum receiving both private and Pauper Patients, a separate Register in the above Form to be kept for each Class.

SCHEDULE (G.) No. 3.

FORM OF MEDICAL JOURNAL.*

Date.	Number of Patients.		Patients who are, or since the last Entry have been, under Restraint or in Seclusion, when and for what Period, and Reasons, and, in case of Restraint, by what Means.		Patients under Medical Treatment, and for what, if any, bodily Disorder.		Deaths, Injuries, and Violence to Patients since the last Entry.
	M.	F.	Males.	Females.	Males.	Females.	

* In the Case of an Asylum receiving both Pauper and private Patients, a separate Journal to be kept in the above Form for each Class.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

entitled "The Suitors Unclaimed Dividend Account," and for the carrying from Time to Time such Part of the Cash standing to the last-mentioned Account as he may think fit over to the Credit of the Account in the Books of the said Accountant General called "The Suitors Fee Fund Account," and such Dividends when so carried over shall thereupon become Part of the Fund standing to such Account.

Rights of Suitors to Stock or Dividends transferred not to be affected, but to be satisfied out of the Suitors Fee Fund.

II. The Right of any Suitor of the said Court to the Stock the Dividends of which shall be appropriated by any such Order or Orders as aforesaid, or to the Dividends so directed to be appropriated, shall not be in anywise prejudiced or affected by such Order or Orders, or by such Appropriation in pursuance thereof as aforesaid, but the Claims of such Suitor or Suitors shall be made good and satisfied out of the Fund standing to the Credit of the Accounts called "The Suitors Fee Fund Account" and "The Suitors Unclaimed Dividend Account," or either of them, by virtue of any Order or Orders to be from Time to Time made by the said Court for that Purpose; and if and when it shall become necessary for the Purposes aforesaid, it shall be lawful for the Lord Chancellor, by any Order or Orders to be from Time to Time made for that Purpose, to impose such Fees in relation to Proceedings in the said Court of Chancery as to him shall seem meet, and to direct that such Fees shall be collected by means of Stamps, to be provided and used in the Manner now adopted with reference to Fees collected by means of Stamps in the said Court, and to alter, diminish, or abolish such new or additional Fees, as Circumstances may from Time to Time warrant him in so doing.

Periodical Investigations and Transfers to be made of Accounts the Dividends of which have not been received for Fifteen Years.

III. At the Expiration of every Five Years from such First Investigation as aforesaid it shall be lawful for the Lord Chancellor to cause a similar Investigation to be made into the several Accounts standing in the Name of the said Accountant General to the Credit of any Cause or Matter the Dividends of which shall not have been received for Fifteen Years or upwards prior to such Time, and thereupon the same Course shall be pursued in every respect with respect to such Accounts as is herein-before directed with respect to the Investigation so to be made within Nine Calendar Months after the passing of this Act; and the Provisions herein-before contained saving the Rights of the Suitor to any Dividends which may have been appropriated upon or in consequence of such Investigation, and giving Power to the Lord Chancellor to impose, alter, diminish, or abolish Fees in consequence thereof, shall extend and be applicable to every successive Investigation so to be made as aforesaid.

Dividends, &c. issued from Monies

IV. And whereas there is now standing in the Name of the Accountant General of the said Court, to the Credit of the Account intituled

intituled "Account of Monies placed out to provide for the Officers "of the High Court of Chancery," the Sum of Two hundred and one thousand and twenty-eight Pounds Two Shillings and Threepence Bank Three Pounds *per Cent.* Annuities, and the Amount of Cash which has arisen from Dividends thereon: And whereas under the Act passed in the Session of Parliament holden in the Third and Fourth Years of King *William* the Fourth, Chapter Ninety-four, Section Thirty-six, the Dividends arising from the Fund standing to the Credit of the said last-mentioned Account are directed or authorized to be invested in the Purchase of Parliamentary or Government Securities in the Name of the said Accountant General, to be by him placed to the Credit of the said last-mentioned Account: And whereas it is unnecessary to continue the Accumulation of the Dividends on the Funds so as aforesaid standing to the Credit of the said last-mentioned Account, and it is expedient that such Dividends should from Time to Time be applied in aid of the Fund called the Suitors Fee Fund: Be it therefore enacted, That the Dividends and annual Produce which have arisen and which shall arise from the Monies placed out on the Account intituled "Account of Monies placed out to provide for the Officers of the High Court of Chancery" shall be carried over by the said Accountant General, and be placed to the said Account intituled "The Suitors Fee Fund Account," and shall thereupon become Part of the Fund standing to such Account, and be dealt with accordingly.

placed out to provide for Chancery Officers to be transferred to Suitors Fee Fund.

V. And whereas it is expedient to reduce the Stamp Duties payable on Letters or Powers of Attorney to be used in the Office of the said Accountant General upon the Receipt of Cheques, Notes, or Drafts for small Sums of Money: Be it therefore enacted, That from and after the passing of this Act the Stamp Duties which if this Act had not been passed would have been payable on Letters or Powers of Attorney to be used in the Office of the said Accountant General for the Receipt of Cheques, Notes, or Drafts for gross Sums of Money not exceeding the Sum of Twenty Pounds, or periodical Payments not exceeding the annual Sum of Five Pounds, shall cease to be payable, and shall be and the same are hereby repealed, and in lieu and instead thereof there shall be granted, raised, levied, and collected in respect of every such Letter or Power of Attorney, or for or in respect of the Vellum, Parchment, or Paper upon which the same shall be written, the Sum of Five Shillings.

Reduced Stamp Duties to be payable hereafter on Powers of Attorney, &c.

VI. The said Duties hereby directed or authorized to be raised, levied, and collected shall be denominated and deemed to be Stamp Duties, and shall be under the Management of the Commissioners of Inland Revenue for the Time being; and all the Powers, Provisions, Clauses,

Stamp Duties to be under the Management of Commissioners of Inland Revenue.

Clauses, Regulations, Directions, Exemptions, Fines, Forfeitures, Pains, and Penalties contained in or imposed by the several Acts relating to any Stamp Duties now payable in *Great Britain* and *Ireland* respectively shall respectively be in full Force and Effect with respect to the Duties by this Act directed or authorized to be raised, levied, or collected, and to the Vellum, Parchment, and Paper, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be applicable, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, and collecting of the said Duties, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted.

Accountant General may be empowered to act on Powers of Attorney in Receipt of future Monies.

VII. It shall be lawful for the Lord Chancellor, whenever it shall seem expedient to him so to do, to empower and direct the Accountant General of the said Court to receive and act upon Letters or Powers of Attorney granted by any Person to whom any Sum or Sums of Money shall by any Order in any Cause or Matter be directed to be paid, authorizing the Attorney of such Person to receive, not only a Cheque, Note, or Draft for the Sum or Sums of Money so ordered to be paid, but all Cheques, Notes, or Drafts for any further or other Sum or Sums of Money which by any Order or Orders to be thereafter made in the same Cause or Matter, or any Cause or Matter connected therewith, shall be ordered to be paid to such Person or Persons by or out of any Fund then or thereafter to be standing to the Credit of such Cause or Matter; and the Lord Chancellor shall by Order make such Provision as he may deem necessary for satisfying the Accountant General of the Identity of the Person named in Two or more Orders.

Compensation Allowances may be applied to making good Monies improperly withheld or abstracted by Parties entitled to such Allowances.

VIII. And whereas under various Acts of Parliament now in force, or under Orders made in pursuance of such Acts, Compensation Allowances have been granted and are payable to various Officers of the said Court, which have been made to cease upon such Officers obtaining other Offices or Employments, during the Continuance of such Officers in the same: And whereas it has happened that Officers of the said Court entitled to Compensation Allowances have obtained other Offices or Employments in the said Court or the Offices thereof, and by reason of Malversation in such Offices or Employments have been dismissed therefrom or have resigned the same, and it is expedient that any Monies improperly withheld by any such Officer should be made good to the Fund to which the same ought to have been applied: It shall be lawful for the Lord Chancellor, by any Order or Orders to be by him from Time to Time made for that Purpose,

Purpose, to direct that the whole or any Part of the Compensation Allowance payable to any Person who shall have held any Office or Employment in the said Court by virtue of any Act or Acts of Parliament heretofore passed or hereafter to be passed, or any Order or Orders in pursuance thereof, shall be applied in Payment to the Fund from which such Monies as aforesaid shall have been abstracted, for the Purpose of making good the same, with such Interest thereon from the Time the same may have been received as the Lord Chancellor may think proper, and with the Costs of making and acting upon the said Orders; and any Order or Orders so to be made shall over-reach any Assignment or Assignments which after the Tenth Day of *February* One thousand eight hundred and fifty-three shall have been made of any such Compensation Allowance, whether made voluntarily or for a good and valuable Consideration.

Orders may be annulled or altered.

IX. Any Order or Orders for the Time being made under this Act may from Time to Time be annulled, altered, or varied by the like Authority by which any such Order or Orders shall have been made, and new Orders from Time to Time be made for any of the Purposes of this Act by the Authority by which Orders are hereby authorized to be made.

As to the Term "Lord Chancellor."

X. In the Construction of this Act, unless such Meaning be repugnant to or inconsistent with the Context, the Expression Lord Chancellor shall mean and include the Lord High Chancellor of *Great Britain* and the Lord Keeper or Lords Commissioners of the Great Seal of the United Kingdom for the Time being.

Officers of the Court of Chancery, who were formerly Officers of the Court of Exchequer, enabled to compute the Period during which they were such Officers for the Purposes of retiring Pensions.

XI. And whereas by an Act passed in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, Chapter Eighty-seven, Section Forty-six, Provision was made for granting Superannuation Allowances to any Person holding any Office or Appointment in the Court of Chancery who should be afflicted with some permanent Infirmity disabling him from the due Execution of his Office, or should have continued in any Office or Offices for Twenty Years, and should be desirous of resigning the same: And whereas by the Act of the Fifth Year of the Reign of Her present Majesty, Chapter Five, certain of the Sworn Clerks and Side Clerks of the Court of Exchequer were appointed Registrars and Clerks to Registrars of the Court of Chancery, and it is expedient that the Time during which they had held the Offices of Sworn Clerks and Side Clerks of the said Court of Exchequer should for the Purposes herein-after mentioned be added to the Time during which they have been Registrars and Clerks to Registrars of the Court of Chancery: Be it therefore enacted, That the Commissioners of Her Majesty's Treasury, in

 ascertaining

ascertaining and awarding the Amount of any Superannuation Allowance under the Authority of the said Act of the Fifteenth and Sixteenth *Victoria*, Chapter Eighty-seven, to any Registrars and Clerks to Registrars of the Court of Chancery who shall have been Sworn Clerks and Side Clerks in the Court of Exchequer, shall take into consideration the whole Period during which they shall have been such Sworn Clerks and Side Clerks, and the same shall be added to the Time during which they shall have held the Offices of Registrars and Clerks to the Registrars of the Court of Chancery.

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

CAP. C.

An Act further to extend and make compulsory the Practice of Vaccination.

[20th *August* 1853.]

WHEREAS an Act was passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act to extend the Practice of Vaccination:* And whereas an Act was passed in the Fifth Year of the same Reign, intituled *An Act to amend an Act to extend the Practice of Vaccination:* And whereas it is expedient that the Practice of Vaccination should be still further extended: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

3 & 4 Vict. c. 29.

4 & 5 Vict. c. 32.

Parishes or Unions to be divided into Districts for the Purpose of Vaccination, and Places appointed for the Performance of Vaccination.

I. Within Six Weeks after the passing of this Act the Guardians of every Parish or Union, and the Overseers of every Parish in which Relief to the Poor shall not be administered by Guardians, in *England* and *Wales*, shall, subject to the Approval of the Poor Law Board, divide such Parish or Union, if need be, into convenient Districts for the Purpose of affording increased Facilities for the Vaccination of the Poor, and shall appoint a convenient Place in

in each such District for the Performance of such Vaccination, and shall take the most effectual Means for giving from Time to Time to all Persons resident within such District due Notice of the Days and Hours at which the Medical Officer or Practitioner contracted with for such Purpose will attend at such Place to vaccinate all Persons not already successfully vaccinated who may then appear there, and also of the Days and Hours at which such Medical Officer or Practitioner will attend at such Place to inspect the Progress of such Vaccination in the Persons so vaccinated.

Parents and Guardians of Children born after 1st August 1853 to have such Children vaccinated within Three or Four Months after Birth.

II. The Father or Mother of every Child born in *England* or *Wales* after the First Day of *August* in the Year of our Lord One thousand eight hundred and fifty-three shall within Three Calendar Months after the Birth of the said Child, or in the event of the Death, Illness, Absence, or Inability of the Father and Mother, then the Person who shall have the Care, Nurture, or Custody of the said Child shall within Four Calendar Months after the Birth of such Child, take or cause to be taken the said Child to the Medical Officer or Practitioner appointed in the Union or Parish in which the said Child is resident according to the Provisions of the first-recited Act for the Purpose of being vaccinated, unless he shall have been previously vaccinated by some duly qualified Medical Practitioner, and the Vaccination duly certified, and the said Medical Officer or Practitioner so appointed shall and he is hereby required thereupon, or as soon after as it may conveniently and properly be done, to vaccinate the said Child.

Children to be taken for Inspection by Medical Officer on Eighth Day after the Operation.

III. Upon the Eighth Day following the Day on which any Child has been vaccinated as aforesaid the Father or Mother, or other Person having the Care, Nurture, or Custody of the said Child, shall again take or cause to be taken the said Child to the Medical Officer or Practitioner by whom the Operation was performed, in order that such Medical Officer or Practitioner may ascertain by Inspection the Result of such Operation.

Certificate of successful Vaccination to be delivered.

IV. Upon and immediately after the successful Vaccination of any Child the Medical Officer or Practitioner who shall have performed the Operation shall deliver to the Father or Mother of the said Child, or to the Person who shall have the Care, Nurture, or Custody of the said Child, a Certificate under his Hand, according to the Form of Schedule herein-after inserted, marked (A.), that the said Child has been successfully vaccinated, and shall also transmit a Duplicate of the said Certificate to the Registrar of Births and Deaths of the Sub-district in which the Operation was performed; and such Certificate shall, without further Proof, be admissible as Evidence of the successful

successful Vaccination of such Child in any Information or Complaint which shall be brought against the Father or Mother of the said Child, or against the Person who shall have had the Care, Nurture, or Custody of such Child as aforesaid, for Noncompliance with the Provisions of this Act.

If the Child be not in a fit State for Vaccination, the Medical Officer to deliver a Certificate to that Effect, to be in force for Two Months.

V. If any Medical Officer or Practitioner shall be of opinion that any Child is not in a fit and proper State to be successfully vaccinated, he shall thereupon and immediately deliver, without Fee or Reward, to the Father or Mother of such Child, or the Person having the Care, Nurture, or Custody of the said Child, a Certificate under his Hand according to the Form of Schedule herein-after inserted, marked (B.), that the Child is in an unfit State for successful Vaccination, and such Certificate shall remain in force for Two Calendar Months from its Delivery as aforesaid; and the Father or Mother of the said Child, or the Person having the Care, Nurture, or Custody of the said Child, shall, unless they shall within each succeeding Period of Two Months have obtained from a Medical Officer or Practitioner a Renewal of such Certificate, within Two Months next after the Delivery of the said Certificate as aforesaid, and if the said Child be not vaccinated at or by the Termination of such Period of Two Months then during each succeeding Period of Two Calendar Months until such Child has been successfully vaccinated, take or cause to be taken to the said Medical Officer or Practitioner such Child to be vaccinated by him; and if the said Medical Officer or Practitioner deem the said Child to be then in a fit and proper State for successful Vaccination, he shall forthwith vaccinate it accordingly, and shall deliver to the Father or Mother of such Child, or Person having the Care, Nurture, or Custody of such Child, a Certificate under his Hand according to the Form of Schedule herein-after inserted, marked (A.), that such Child has been successfully vaccinated; but if the said Medical Officer or Practitioner be of opinion that the Child is still in an unfit State for successful Vaccination, then he shall again deliver to the Father or Mother of such Child, or Person having the Care, Nurture, or Custody of the said Child, a Certificate under his Hand, according to the said Form of Schedule (B.), that the Child is still in an unfit State for successful Vaccination; and the said Medical Officer or Practitioner, so long as such Child remains in an unfit State for Vaccination, and unvaccinated, shall at the Expiration of every succeeding Period of Two Calendar Months deliver, if required, to the said Father or Mother of such Child, or Person having the Care, Nurture, or Custody of such Child, a fresh Certificate under his Hand according to the said Form of Schedule; and the Production of such Certificate shall be a sufficient Defence against any Complaint which shall be brought against the said Father or Mother, or Person having the Care, Nurture,

Nurture, or Custody of such Child, for Noncompliance with the Provisions of this Act.

Rates of Payment for Vaccination in Contracts by Guardians or Overseers.

VI. In all Contracts to be hereafter made under the Provisions of the first-recited Act by any Guardians or Overseers of the Poor with any Medical Officers or Practitioners for the Vaccination of the Persons resident in their respective Unions or Parishes the Sums contracted to be paid shall not be less than the following Rates; that is to say, for every Person successfully vaccinated at the Residence of such Medical Officer or Practitioner, or within Two Miles therefrom by the nearest public Road, a Sum not less than One Shilling and Sixpence, and for every Person successfully vaccinated at any Place more than Two Miles distant from such Residence any Sum not less than Two Shillings and Sixpence.

Child's Incapacity to receive the Vaccine Disease to be certified.

VII. In the event of any Medical Practitioner acting under the Provisions of this Act being of opinion that any Child that has been vaccinated by him is insusceptible of the Vaccine Disease, he shall deliver to the Father or Mother, or Person having the Care, Nurture, or Custody of such Child, a Certificate under his Hand according to the Form of Schedule herein-after inserted, marked (D.); and the Production of such Certificate shall be a sufficient Defence against any Complaint which may be brought against the said Father, Mother, or Person having the Care, Nurture, or Custody of such Child for Noncompliance with the Provisions of this Act.

Registrars of Births and Deaths to keep a Register of Cases of successful Vaccination, of which Searches and Extracts may be made.

VIII. The Registrar of Births and Deaths in every Sub-district in which the Operation has been performed shall keep a Register of the Persons of whose successful Vaccination a Certificate shall have been transmitted to him as above provided by the said Medical Officer or Practitioner, and shall at all reasonable Times allow Searches to be made of any such Register Book in his Keeping, and shall give a Copy, certified under his Hand, of any Entry or Entries in the same, on Payment of the Fee of One Shilling for each Search, and Sixpence for each Certificate.

Notice to be given of the Requirement of Vaccination, and on Failure of Parent or Guardian to comply therewith, Penalty.

IX. The Registrar of Births and Deaths in every Sub-district shall, on or within Seven Days after the Registration of the Birth of any Child not already vaccinated within the said Sub-district, give Notice in Writing in manner herein-after directed, and according to the Form of Schedule herein-after inserted, marked (C.), to the Father or Mother of such Child, or in the event of the Death, Illness, Absence, or Inability from Sickness or otherwise of the Father and Mother, then to the Person upon whom the Care, Nurture, or Custody of such Child shall have devolved, that it is the Duty of such Father or Mother, or Person

Person having the Care, Nurture, or Custody of such Child as aforesaid, to take care that the said Child shall be vaccinated in the Manner directed by this Act, and shall together therewith deliver to such Person a Notice of the Days, Hours, and Places within the District of such Registrar at which the Medical Officer or Practitioner as herein-before provided will attend for the Purpose of Vaccination; and if after such Notice the Father or Mother of the said Child, or the Person so having as aforesaid the Care, Nurture, or Custody of the said Child, shall not cause such Child to be vaccinated, or shall not on the Eighth Day after the Vaccination has been performed take or cause to be taken such Child for Inspection according to the Provisions in this Act respectively contained, then such Father or Mother, or Person having the Care, Nurture, or Custody of such Child as aforesaid, so offending, shall forfeit a Sum not exceeding Twenty Shillings.

Fee to Registrar.

X. A Fee of Threepence shall be paid to such Registrar for each Child vaccinated in respect of which he shall have performed the Duties required in this Act; and he shall keep a Book, to be provided as herein-after directed, containing a Minute of his having duly given such Notice as herein-before directed; and the said Fee shall be payable in the same Manner as the Fee now payable to such Registrar for registering the Birth of such Child as aforesaid is paid.

Registrar General to provide Books and Forms for carrying out the Provisions of this Act.

XI. The Registrar General for *England* and *Wales* shall and he is empowered and directed, within Two Months after the passing of this Act, to frame and provide such Books, Forms, and Regulations as he may deem requisite for carrying into full Effect the Provisions of this Act, and shall transmit the same to the Superintendent Registrars of each District in *England* and *Wales*, who shall deliver to the Medical Officers so appointed as aforesaid, and other duly qualified Medical Practitioners in the said District, such of the said Books, Forms, and Regulations as they may require for the Performance of the Duties imposed upon them by this Act; and the Expenses to be incurred by the Registrar General under the Provisions of this Act shall be defrayed in the same Manner as the Expenses under the Act of the Sixth and Seventh Years of King *William* the Fourth, Chapter Eighty-five.

Recovery of Penalties.

XII. All Penalties by this Act imposed shall be recoverable before any Two Justices of the Peace for the County, City, Borough, or Place where the Offence may have been committed; and the Provisions of the Act of the Twelfth Year of Her present Majesty, Chapter Forty-three, shall be applicable to the Recovery of such Penalties.

Application of Penalties.

XIII. All Penalties recovered under this Act shall be applied in aid of the Funds applicable to the Relief of the Poor in the Parish or Place maintaining its own Poor wherein the Offence may have been committed.

SCHE-

SCHEDULES referred to by this Act.

SCHEDULE (A.)

I, the undersigned, hereby certify, that the Child of aged of the Parish of in the County of has been successfully vaccinated by me.

Dated this Day of 185 .

(Signed) *A.B.*
Surgeon of the Union *or* Parish (*or other Medical Practitioner, as the Case may be*).

SCHEDULE (B.)

I, the undersigned, hereby certify, that I am of opinion that the Child of of the Parish of in the County of aged is not now in a fit and proper State to be successfully vaccinated, and I do hereby postpone the Vaccination until the Day of

Dated this Day of 185 .

(Signed) *A.B.*
Surgeon of the Union *or* Parish (*or other Medical Practitioner, as the Case may be*).

SCHEDULE (C.)

I, the undersigned, hereby give you Notice, and require you to have *C.D.* vaccinated within Three (or Four, *as the Case may be, according to the Second Section of this Act,*) Months after the Birth, pursuant to the Provisions and Directions of the Act of the 16 Victoria, Cap. . As witness my Hand this Day of 185 .

J.B.
Registrar of Births and Deaths for the Sub-district (*as the Case may be*).

SCHE-

SCHEDULE (D.)

I, the undersigned, hereby certify, that I am of opinion, that the Child of of the Parish of in the County of is insusceptible of the Vaccine Disease.

Dated this Day of 18 .

Signed, *A.B.*, Surgeon of the Union *or* Parish of (*or other Medical Practitioner, as the Case may be*).

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Provost in Scotland to act instead of Mayor.

II. In *Scotland* the Chief Magistrate shall exercise the Powers and perform the Functions appointed by the said recited Act to be exercised and performed by the Mayor; and the Parties entitled to vote shall be the registered Electors entitled to vote for the Election of Members of Parliament within the Parliamentary Boundaries of or attached to such Burghs.

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Tender, and Penalty for uttering same.

be a legal Tender; and if any Person shall tender, utter, or put off any Coin so defaced, stamped, or bent as aforesaid, he shall, on summary Conviction thereof before Two Justices, be liable to forfeit and pay any Sum not exceeding Forty Shillings: Provided always, that it shall not be lawful for any Person to proceed for any such Penalty as last aforesaid without the Consent (in *England* or *Ireland*) of Her Majesty's Attorney General for *England* or *Ireland* respectively, or (in *Scotland*) of the Lord Advocate.

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in the Linen, Hempen, Union, Cotton, Silk, and Woollen Manufactures in Ireland, *and for the better Payment of their Wages:* And whereas an Act was passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to amend, and continue for Five Years, and to the End of the next Session of Parliament, certain Acts relating to Linen, Hempen, and other Manufactures in* Ireland: And whereas an Act was passed in the Session of Parliament holden in the Thirteenth and Fourteenth Years of Her present Majesty's Reign, Chapter Forty-eight, whereby the said herein-before recited Acts were continued as therein mentioned: And whereas an Act was passed in the Session of Parlialiament holden in the Fifteenth and Sixteenth Years of Her present Majesty's Reign, Chapter Thirteen, whereby the said herein-before recited Acts were further continued as therein mentioned: And whereas it is expedient that the first herein-before recited Act, and the secondly and thirdly and fourthly herein-before recited Acts, should be further continued, subject to the respective Amendments thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said first herein-before recited Act, except as to such Parts thereof as have been repealed by the said secondly herein-before recited Act, and subject to the Amendments thereof in the said subsequent recited Acts contained, and the said secondly and thirdly and fourthly herein-before recited Acts, subject to the respective Amendments thereof, shall be further continued and shall be and remain in force from the passing of this Act for One Year.

7 & 8 Vict. c. 47.

13 & 14 Vict. c. 48.

15 & 16 Vict. c. 13.

Continuation of Acts for One Year.

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Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

No Child to be employed before Six in the Morning nor after Six in the Afternoon.

I. After the Commencement of this Act no Child shall be employed in any Factory before Six of the Clock in the Morning or after Six of the Clock in the Evening of any Day (save to recover lost Time, as herein-after provided), and no Child shall be employed in any Factory either to recover lost Time or for any other Purpose on any *Saturday* after Two of the Clock in the Afternoon.

Power to employ Children in the Hours between Seven in the Morning and Seven in the Evening from 30th Sept. to 1st April, under certain Regulations.

II. Provided always, That during all or Part of the Period between the Thirtieth Day of *September* of any Year and the First Day of *April* of the following Year Children may be employed in any Factory, except on *Saturday*, after Six until Seven of the Clock of the Evening, under the following Regulations and Conditions; (that is to say,) Notice signed by the Occupier of any Factory or his Agent of the Intention to employ Children under this Provision, specifying the Period, not being less than One Month, during which they are to be so employed in such Factory, shall be given to One of the Inspectors of Factories; and a Notice to the like Effect, in such Form as shall be approved by such Inspector, and signed by such Occupier or his Agent and by such Inspector, shall be hung or fixed up, according to the Directions for other Notices in the said secondly-recited Act, in such Factory, and during the Period specified in such Notice Children may be employed in such Factory after Six of the Clock and not later than Seven of the Clock of any Day except *Saturday*, and during the Period specified in such Notice (save to recover lost Time, as herein provided,) no Child shall be employed in such Factory before Seven of the Clock in the Morning of any Day except *Saturday*.

Children not to be employed, under 7 & 8 Vict. c. 15. s. 36., in recovering lost Time, after Seven in the Evening.

III. And whereas by the said Act of the Seventh and Eighth Years of Her Majesty it was enacted, that in any Factory in which any Part of the Machinery was moved by the Power of Water the Time which should have been lost by Stoppages from Want of Water or from too much Water might be recovered within Six Months next after the Stoppage between the Hours specified in the said firstly-recited Act as those within which Time lost by Drought or Excess of Water might be recovered, and that in order to recover Time so lost any Child or young Person might be employed One Hour in each Day more than the Time to which the ordinary daily Labour of Children and young Persons respectively was restricted by Law, except on *Saturday*: Be it therefore enacted, That no Child shall, in order to recover Time so lost as aforesaid, be employed after Seven of the Clock in the Evening of any Day; and the Times before Six of the Clock in the Morning and after Six of the Clock in

in the Evening during which any such Child is so employed in any Day shall not together exceed One Hour.

IV. Nothing in this Act shall be construed to authorize the Employment of any Children in any Factory for any longer Time in any Day than is now authorized under the said recited Acts, or to interfere with or affect the Provisions of the said Acts as to Meal Times or Holidays, or any other Provisions whatsoever of the said Acts, save so far as the same authorize the Employment of Children between any other Hours of the Day than are limited by this Act.

Hours of Employment of Children not to be extended.

V. The herein-before recited Acts, as amended by this Act, and this Act, shall be construed together as One Act.

Acts to be construed as One Act.

VI. This Act shall commence and take effect on the First Day of *September* One thousand eight hundred and fifty-three.

Commencement of Act.

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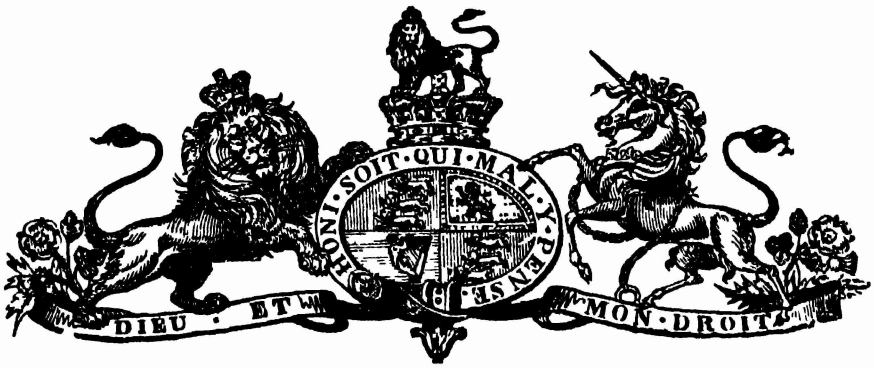

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until the First Day of *October* in the Year One thousand eight hundred and fifty-four, and to the End of the then next Session of Parliament.

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Commissioners of Customs to provide Samples of White-clayed and Brown-clayed Sugar.

III. For facilitating the due Assessment of Duties on White-clayed Sugar, or Sugar rendered by any Process equal to White-clayed, with reference to Colour, Grain, and Saccharine Matter, and on Brown-clayed Sugar or Sugar rendered by any Process equal in Quality to Brown-clayed Sugar, the Commissioners of Customs shall provide and renew from Time to Time Samples of White-clayed and Brown-clayed Sugar respectively, which shall be deemed to be standard Samples, for the Purpose of comparing therewith Sugars entered for Home Consumption; and no Sugar shall, as regards the Payment of Duty, be deemed to be White-clayed Sugar, or Sugar rendered by any Process equal to White-clayed Sugar, unless equal to the standard Sample of White-clayed Sugar, or be deemed to be Brown-clayed Sugar, or Sugar rendered by any Process equal to Brown-clayed Sugar, unless equal to the standard Sample of Brown-clayed Sugar.

Duties in Table to be levied on Goods imported into Isle of Man.

IV. In lieu of all Duties of Customs now payable by Law upon the Importation of Goods into the *Isle of Man*, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, the several Duties of Customs as the same are respectively set forth in Figures in Table (B.) to this Act annexed.

Power to the Treasury to remit and reimpose the Duties levied on unenumerated Articles.

V. The Commissioners of the Treasury may from Time to Time, by any Order or Orders under their Hands, declare that all or any Articles legally importable into the *Isle of Man*, and not enumerated in the said Table, and upon which the said Duty of Fifteen Pounds for every Hundred Pounds Value is hereby imposed, shall and may, from and after any Day or Days named in such Order or Orders, be imported from the Places and in the Manner therein mentioned into the *Isle of Man* Duty-free during such Time or Times as shall be therein named, or until such Order or Orders respectively, or any of them, shall be rescinded, and such Articles shall be imported Duty-free accordingly so long as any such Order or Orders, or any of them, shall continue unrescinded; and the said Commissioners may at any Time, by any Order under their Hands, revoke the whole or any Part of any previous Order or Orders, or any of them, for such Time and in such Manner as they may see fit; and all Orders of the Commissioners of the Treasury made in pursuance of this Enactment shall be duly published in the *London* and *Dublin* Gazettes twice at least within Fourteen Days from the Date of such Orders respectively, and a Copy of every such Order shall be laid before both Houses of Parliament within Six Weeks after the Date of such Order if Parliament be then sitting, and if not, then within Six Weeks after the Commencement of the then next Session of Parliament

Orders to be published in the Gazette, and laid before Parliament.

VI. And

VI. And all the Goods described as Free in the said Table (A.) shall be exempt from Duty on the Importation thereof into the United Kingdom, and those described as Free in the said Table (B.) shall be exempt from Duty on the Importation thereof into the *Isle of Man.* Free Goods

VII. The Metage Dues now payable upon Fruit imported into the Port of *London* shall not be increased in consequence of the Duties upon such Fruit being levied by the Bushel. Metage Dues on Fruit.

VIII. This Act shall commence from the Time of the passing thereof; and in citing it in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Customs Tariff Act, 1853." Commencement of Act.

TABLE

TABLE (A.)

Duties applicable to the United Kingdom.

		£	s.	d.
1. Agates or Cornelians, set - -	for every 100*l.* Value	10	0	0
not set, cut, or manufactured - - -		Free.		
not cut or manufactured - - -		Free.		
Albumen - - - - - -		Free.		
3. Ale. See Beer.				
4. Alganobilla Seed - - - - -		Free.		
5. Alkali, not being Barilla - - - - -		Free.		
6. Alkanet Root - - - - - -		Free.		
7. Almonds, not Jordan, nor Bitter - -	the Cwt.	0	10	0
Jordan - - - -	the Cwt.	0	10	0
Bitter - - - - -		Free.		
Paste of - - - -	the lb.	0	0	2
8. Aloes - - - - -		Free.		
9. Alum, Roch - - - - - -		Free.		
not Roch - - - - -		Free.		
10. Amber, rough - - - - - -		Free.		
Manufactures of, not enumerated (except Beads) -		Free.		
11. Ambergris - - - - - -		Free.		
12. Amboyna Wood - - - - -		Free.		
13. Anchovies. See Fish.				
14. Angelica - - - - - -		Free.		
15. Animals (living), viz.:—				
Asses - - - - -		Free.		
Goats - - - - - -		Free.		
Kids - - - - - -		Free.		
Oxen and Bulls - - - -		Free.		
Cows - - - - -		Free.		
Calves - - - - -		Free.		
Horses, Mares, Geldings, Colts, Foals - -		Free.		
Mules - - - - -		Free		
Sheep - - - - -		Free.		
Lambs - - - - - -		Free.		
Swine and Hogs - - - - -		Free.		
Pigs (sucking) - - - - -		Free.		
16. Annatto Roll and Flag - - - - -		Free.		
17. Antimony, viz.:—				
Ore of - - - - - -		Free.		
Crude - - - - - -		Free.		
Regulus - - - - -		Free.		
18. Apples, raw - - - -	the Bushel	0	0	3
of and from British Possessions -	the Bushel	0	0	2
dried - - - -	the Bushel	0	1	0
19. Aquafortis - - - - - -		Free.		
20. Argol - - - - - -		Free.		
21. Aristolochia - - - - - -		Free.		

		£	s.	d.
22. Arrowroot	the Cwt.	0	0	4½
23. Arsenic		Free.		
24. Ashes, viz. :—				
Pearl and Pot		Free.		
Soap		Free.		
Weed		Free.		
Wood		Free.		
not enumerated		Free.		
25. Asphaltum or Bitumen Judaicum		Free.		
26. Bacon		Free.		
27. Balsams, viz. :—				
Canada		Free.		
Capivi		Free.		
Peru		Free.		
Riga		Free.		
Tolu		Free.		
Balm of Gilead, and unenumerated Balsam		Free.		
28. Bandstring Twist		Free.		
29. Barilla		Free.		
30. Bark for Tanner's or Dyer's Use		Free.		
Cascarilla		Free.		
Peruvian		Free.		
of other Sorts		Free.		
Extract of. See Extract.				
31. Barley, pearled	the Cwt.	0	0	4½
32. Barwood		Free.		
33. Barytes, Sulphate of, ground		Free.		
34. Basket Rods, peeled		Free.		
unpeeled		Free.		
35. Baskets corresponding with the Description commonly called Berlin	the Cubic Foot	0	0	7
All others	the Cubic Foot	0	0	2
36. Bast Ropes, Twines and Strands		Free.		
37. Beads, viz. :—				
Arango	the lb.	0	0	2
and Bugles of Glass		Free.		
Coral	the lb.	0	1	6
Crystal	the lb.	0	0	2
Jet	the lb.	0	0	2
not otherwise enumerated or described	the lb.	0	0	2
38. Beans, Kidney and French. See Seeds.				
39. Beef, salted		Free.		
fresh, or slightly salted		Free.		
40. Beef Wood		Free.		
41. Beer or Ale	the Barrel	1	0	0
Mum	the Barrel	1	0	0
Spruce	the Barrel	1	0	0
of other Sorts	the Barrel	1	0	0
42. Berries, viz. :—				
Bay		Free.		
Juniper		Free.		
Yellow		Free.		
Myrobalane		Free.		
unenumerated, commonly made use of in Chemical Processes		Free.		
unenumerated, not commonly made use of in Chemical Processes		Free.		

Customs Tariff Act.

		£	s.	d.
43.	Birds, viz., Singing Birds - - - -	Free.		
44.	Biscuit and Bread - - - - the Cwt.	0	0	4½
45.	Bitumen Judaicum. See Asphaltum.			
46.	Blacking - - - - - - -	Free.		
47.	Black Wood - - - - -	Free.		
48.	Bladders - - - - - - -	Free.		
49.	Bones (except Whale Fins), whether burnt or not, or as Animal Charcoal - - - - - -	Free.		
50	Books, viz. :—			
	being of Editions printed prior to the Year 1801, bound or unbound - - - - -	Free.		
	being of Editions printed in or since the Year 1801, bound or unbound - - - the Cwt.	1	10	0
	admitted under Treaties of International Copyright, or if of and from any British Possession - - - - the Cwt.	0	15	0
51.	Boracic Acid - - - - - - -	Free.		
52.	Borax, refined - - - - - -	Free.		
53.	Borax, or Tincal, unrefined - - - - -	Free.		
54.	Bottles, of Earth and Stone - - - - - -	Free.		
55.	Boxes of all Sorts, excepting those made wholly or partly of Glass, on which the proper Glass Duty will be levied for every 100*l.* Value	10	0	0
56.	Box Wood - - - - - - - -	Free.		
57.	Bran - - - - - - - -	Free.		
58.	Brass, Manufactures of, not otherwise enumerated the Cwt.	0	10	0
	Powder of - - - - - -	Free.		
	Old, fit only to be re-manufactured - - -	Free.		
	Wire - - - - - -	Free.		
59.	Brazil Wood - - - - - -	Free.		
60.	Braziletto Wood - - - - - -	Free.		
61.	Bricks or Clinkers, Dutch - - - - -	Free.		
	other Sorts - - - - - - -	Free.		
62.	Brimstone, unrefined - - - - - -	Free.		
	refined, in Rolls - - - - - -	Free.		
	in Flour - - - - - -	Free.		
63.	Bristles, rough and in the Tufts, and not in any way sorted -	Free.		
	in any way sorted or arranged in Colours, and not entirely rough and in the Tufts - - -	Free.		
64.	Brocade, of Gold or Silver - - - - the lb.	0	5	0
65.	Bronze, all Works of Art - - - - - -	Free.		
	Manufactures of, or of Metal bronzed or lacquered, the Cwt. - - - - - - -	0	10	0
	Powder - - - - - - - -	Free.		
66.	Brushes, Paint - - - - - -	Free.		
67.	Bullion and Foreign Coin, of Gold or Silver - - -	Free.		
68.	Bullrushes - - - - - -	Free.		
69.	Butter - - - - - - the Cwt.	0	5	0
	of and from a British Possession - - the Cwt.	0	2	6
70.	Buttons of Metal - - - - - -	Free.		
	other Sorts - - - - - -	Free.		
71.	Cables (not being Iron Cables), tarred or untarred, old and new	Free.		
72.	Cameos, not set - - - - - -	Free.		
73.	Camomile Flowers - - - - -	Free.		
74.	Camphor, unrefined - - - - -	Free.		
	refined - - - - - -	Free.		
75.	Camwood - - - - - -	Free.		

Customs Tariff Act.

		£	s.	d.
76.	Candles, viz., Spermaceti - - - the Cwt.	0	2	4
	Stearine, till the 5th April 1858, unless the Duty upon Tallow shall be repealed at an earlier Time, in which Case, or after the 5th April 1858, this Duty shall be reduced to the same Rate as Tallow Candles, the Cwt.	0	3	6
	Tallow - - - - - the Cwt.	0	2	4
	Wax - - - - - - the Cwt.	0	2	4
77.	Candlewick - - - - - -	Free.		
78.	Canella Alba - - - - - -	Free.		
79.	Canes, viz., Bamboo - - - - -	Free.		
	Rattans, not ground - - - -	Free.		
80.	Reed Canes - - - - -	Free.		
	Walking Canes or Sticks, mounted, painted, or otherwise ornamented - - - the 100	0	6	0
	Umbrella and Parasol Sticks - - the 100	0	3	0
	or Sticks, unenumerated - - - -	Free.		
81.	Cantharides - - - - - -	Free		
82.	Caoutchouc - - - - - -	Free.		
	Manufactures of - - - the lb.	0	0	4
83.	Capers, including the Pickle - - the lb.	0	0	1½
84.	Cardamoms - - - - - -	Free.		
85.	Cards, viz., Playing Cards - - the Dozen Packs	0	15	0
86.	Carmine - - - - - -	Free.		
87.	Carriages of all Sorts - - - - -	Free.		
88.	Casks, empty - - - - - -	Free.		
89.	Cassava Powder - - - - the Cwt.	0	0	4½
90.	Cassia, viz., Buds - - - - -	Free.		
	Fistula - - - - - -	Free.		
	Lignea - - - - - the lb.	0	0	1
91.	Castor - - - - - - -	Free.		
92.	Casts of Busts, Statues, or Figures - - -	Free.		
93.	Catlings - - - - - - -	Free.		
94.	Caviare - - - - - - -	Free.		
95.	Cedar Wood - - - - -	Free.		
96.	Chalk, viz., unmanufactured - - - -	Free.		
	prepared or manufactured, and not otherwise enumerated - - - - - -	Free.		
97.	Cheese - - - - - the Cwt.	0	2	6
	of and from British Possessions - - the Cwt.	0	1	6
	The Duty on Cheese to be charged on landing Weight.			
98.	Cherries, raw - - - - the Bushel	0	0	2
	dried, until 5th July 1854 inclusive - the lb.	0	0	2
	from and after 5th July 1854 - - the lb.	0	0	1½
99.	Cherry Wood - - - - - -	Free.		
100.	Chicory, or any other Vegetable Matter applicable to the Uses of Chicory or Coffee, viz.,			
	roasted or ground - - - the lb.	0	0	4
	raw or kiln-dried, until 10th October 1854 inclusive the Cwt.	0	4	0
	from and after 10th October 1854	Free		
101.	China Root - - - - - -	Free.		
102.	China or Porcelain Ware, plain, painted, gilt, and ornamented the Cwt.	0	10	0
103.	Chip or Willow for platting - - - -	Free.		
104.	Cider - - - - - - -	Free.		
105.	Cinnabaris nativa - - - -	Free.		

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		£	s.	d.
106. Cinnamon	the lb.	0	0	2
107. Citrate of Lime		Free.		
108. Citric Acid		Free.		
109. Citron, preserved with Salt		Free.		
110. Civet		Free.		
111. Clocks, viz., not exceeding the Value of 5*s.* each	the Dozen	0	4	0
exceeding the Value of 5*s.* and not exceeding the Value of 12*s.* 6*d.* each	the Dozen	0	8	0
exceeding the Value of 12*s.* 6*d.* and not exceeding the Value of 3*l.* each	each	0	2	0
exceeding the Value of 3*l.* and not exceeding the Value of 10*l.* each	each	0	4	0
exceeding the Value of 10*l.* each	each	0	10	0
112. Cloves	the lb.	0	0	2
113. Coals, Culm, or Cinders		Free.		
114. Cobalt		Free.		
Ore of		Free		
Oxide of		Free.		
115. Cochineal		Free.		
Granilla		Free.		
Dust		Free.		
116 Cochinella Wood		Free.		
117. Cocoa	the lb.	0	0	1
Husks and Shells	the lb.	0	0	0½
Paste or Chocolate	the lb.	0	0	2
118. Coculus Indicus	the Cwt.	0	5	0
119. Coffee	the lb.	0	0	3
kiln-dried, roasted, or ground	the lb.	0	0	4
120. Coir Rope, Twine, and Strands		Free.		
121. Colocynth		Free.		
122. Columbo Root		Free.		
123. Comfits, dry, until 5th July 1854 inclusive	the lb.	0	0	2
from and after 5th July 1854	the lb.	0	0	1½
124. Confectionery, until 5th July 1854 inclusive	the lb.	0	0	2
from and after 5th July 1854	the lb.	0	0	1½
125. Copper, Ore of		Free.		
Regulus of		Free.		
old, fit only to be re-manufactured		Free.		
unwrought, viz., in Bricks or Pigs, Rose Copper, and all cast Copper		Free.		
Part wrought, viz., Bars, Rods, or Ingots hammered or raised		Free.		
in Plates and Copper Coin		Free.		
Wire		Free.		
Manufactures of, not otherwise enumerated or described, and Copper Plates engraved	the Cwt.	0	10	0
126. Copperas, Blue		Free.		
Green		Free.		
White		Free.		
127. Coral, viz., Beads. (See Beads.)				
in Fragments		Free.		
whole, polished		Free.		
unpolished		Free.		
Negligees	the lb.	0	1	0
128. Cordage, tarred or untarred		Free.		
129. Cork		Free.		
130. Corks, ready made	the lb.	0	0	6
squared for rounding	the Cwt.	0	8	0
Fishermen's		Free.		

		£	s.	d.
131. Corn, Grain, Meal, and Flour, viz.:—				
Wheat	the Quarter	0	1	0
Barley	the Quarter	0	1	0
Oats	the Quarter	0	1	0
Rye	the Quarter	0	1	0
Pease	the Quarter	0	1	0
Beans	the Quarter	0	1	0
Maize or Indian Corn	the Quarter	0	1	0
Buck Wheat	the Quarter	0	1	0
Bear or Bigg	the Quarter	0	1	0
Wheat Meal and Flour	the Cwt.	0	0	4½
Barley Meal	the Cwt.	0	0	4½
Oat Meal and Groats	the Cwt.	0	0	4½
Rye Meal and Flour	the Cwt.	0	0	4½
Pea Meal	the Cwt.	0	0	4½
Bean Meal	the Cwt.	0	0	4½
Maize or Indian Corn Meal	the Cwt.	0	0	4½
Buck Wheat Meal	the Cwt.	0	0	4½
132. Cowries		Free.		
133. Cotton Manufactures, viz.:—				
East India Piece Goods, viz.:—				
Calicoes and Muslins, White		Free.		
dyed or coloured		Free.		
Nankeens, not dyed or coloured		Free.		
dyed or coloured		Free.		
Handkerchiefs, dyed or coloured		Free.		
Manufactures, not being Articles wholly or in part made up, not otherwise charged with Duty		Free.		
Wool. See Wool.				
Yarn		Free.		
Fringe	the lb.	0	0	2
Gloves, of Cotton or Thread	the Dozen Pairs	0	0	3
Stockings, of Cotton or Thread	the Dozen Pairs	0	0	6
Socks or Half Hose, of Cotton or Thread	the Dozen Pairs	0	0	3
Articles or Manufactures of Cotton, wholly or in part made up, not otherwise charged with Duty,	for every 100*l.* Value	5	0	0
134. Cranberries		Free		
135. Crayons		Free.		
136. Cream of Tartar		Free.		
137. Crystal, viz.:—				
rough		Free.		
cut or manufactured, except Beads		Free.		
138. Cubebs		Free.		
139. Cubic Nitre. See Nitre.				
140. Cucumbers, viz., preserved in Salt		Free.		
141. Currants	the Cwt. and 5 per Cent. thereon.	0	15	0
142. Cutch		Free.		
143. Daguerreotype Plates	the lb.	0	0	3
144. Dates	the Cwt.	0	10	0
145. Diamonds		Free.		
146. Dice	the Pair	1	1	0
147. Divi Divi		Free.		
148. Down		Free.		
149. Drugs, not enumerated		Free.		

		£	s.	d.
150.	Earthenware, not otherwise enumerated or described, the Cwt.	0	10	0
151.	Ebony - - - - - - - -	Free.		
152.	Eggs - - - - - - - the 120	0	0	4
	of and from British Possessions - - the 120	0	0	2½
153.	Elder Flower Water - - - - - - -	Free.		
154.	Embroidery and Needlework, viz. :—			
	Silk Net, figured with the Needle, being Imitation Lace, and Articles thereof - - - the lb.	0	10	0
	Cotton Net, figured with the Needle, being Imitation Lace, and Articles thereof - - - the lb.	0	8	0
	Curtains, commonly called Swiss, embroidered on Muslin or Net - - - - the lb.	0	1	0
	All other Embroidery not enumerated, for every 100*l.* Value	10	0	0
	of and from British Possessions, for every 100*l.* Value	5	0	0
155.	Enamel - - - - - -	Free.		
156.	Essence of Spruce - - - for every 100*l.* Value	10	0	0
157.	Extract of Cardamoms - - for every 100*l.* Value	20	0	0
	Coculus Indicus - - - for every 100*l.* Value	20	0	0
	Guinea Grains of Paradise - for every 100*l.* Value	20	0	0
	Licorice - - - for every 100*l.* Value	20	0	0
	Nux Vomica - - for every 100*l.* Value	20	0	0
	Opium - - - - for every 100*l.* Value	20	0	0
	Guinea Pepper - - - for every 100*l.* Value	20	0	0
	Peruvian or Jesuit's Bark - for every 100*l.* Value	20	0	0
	Quassia - - - - for every 100*l.* Value	20	0	0
	Radix Rhataniæ - - for every 100*l.* Value	20	0	0
	Vitriol - - - - for every 100*l.* Value	20	0	0
	Chesnut Bark or Wood - - - -	Free.		
	Quercitron Bark - - - - - -	Free.		
	Logwood - - - - - -	Free.		
	Safflower - - - - - -	Free.		
	Bark, or of other Vegetable Substances to be used for tanning or other manufacturing Purposes - -	Free.		
158.	Extract or Preparation of any Article, not particularly enumerated, nor otherwise charged with Duty, for every 100*l.* Value	20	0	0
	or, and in lieu of the above Duty, at the Option of the Importer - - - the lb.	0	5	0
159.	Feathers for Beds, in Beds or otherwise - - -	Free.		
	Ostrich, dressed - - - - the lb.	0	3	0
	undressed - - - - -	Free.		
	Paddy Bird, dressed - - - the lb.	0	3	0
	undressed - - - - -	Free.		
	not otherwise enumerated or described, viz. :—			
	dressed - - - - - the lb.	0	3	0
	undressed - - - - -	Free.		
160.	Figs - - - - - the Cwt.	0	15	0
	and 5 per Cent. thereon.			
161.	Fig Cake - - - - the Cwt.	0	15	0
162.	Fish, viz. :—			
	Anchovies - - - - -	Free.		
	Cod - - - - -	Free.		
	Caplin - - - - -	Free.		
	Eels, Shiploads - - - - -	Free.		
	in small Quantities - - - -	Free.		
	Herrings - - - - - -	Free.		

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		£ s. d.
162.	Fish—*continued.*	
	Lobsters	Free.
	Mackerel	Free.
	Oysters	Free.
	Salmon	Free.
	Soles	Free.
	Sounds and Tongues	Free.
	Turbots	Free.
	Turtle	Free.
	fresh, not otherwise enumerated	Free.
	cured, not otherwise enumerated	Free.
163.	Flax, dressed	Free.
	rough or undressed	Free.
	Tow and Codilla of	Free.
164.	Flock for Paper Stainers	Free.
165.	Flocks	Free.
166.	Flower Roots	Free.
167.	Flowers, Artificial, whether of Silk or of other Materials, per Cubic Foot as packed; no Allowance for vacant Spaces the Cubic Foot	0 12 0
168.	Frames for Pictures, Prints, Drawings, or Mirrors	Free.
169.	Fruit, viz., raw, not otherwise enumerated the Bushel	0 0 2
170.	Furniture Woods, not particularly enumerated, except Ash, Beech, Birch, Elm, Oak, Wainscot	Free.
171.	Fustic	Free.
172.	Gallic Powder	Free.
173.	Galls	Free.
174.	Gamboge	Free.
175.	Garancine	Free.
176.	Garnets, cut, not set	Free.
	uncut	Free.
177.	Gauze of Thread	Free.
178.	Gelatine	Free.
179.	Gentian	Free
180.	Ginger the Cwt.	0 10 0
	of and from British Possessions the Cwt.	0 5 0
	preserved, until 5th July 1854 inclusive the lb.	0 0 2
	from and after 5th July 1854 the lb.	0 0 1½
181.	Ginseng	Free.
182.	Glass, viz.:—	
	Any kind of Window Glass, White, or stained of One Colour only, (except Plate or rolled Glass,) and Shades and Cylinders, until the 5th April 1855 inclusive the Cwt.	0 2 6
	from and after 5th April 1855, until 5th April 1857 inclusive the Cwt.	0 1 6
	from and after 5th April 1857	Free.
	Flint Cut Glass, Flint Coloured Glass, and Fancy Ornamental Glass, of whatever kind the Cwt.	0 10 0
	Plate Glass, cast or rolled, of whatever Thickness, whether silvered, polished, or rough	Free.
	Painted	Free.
	White Flint Glass Bottles, not cut, engraved, or otherwise ornamented	Free.
	Beads and Bugles. See Beads.	
	Wine Glasses, Tumblers, and all other White Flint Glass Goods, not cut, engraved, or otherwise ornamented	Free.
	Bottles of Glass covered with Wicker (not being Cut Glass) or of Green or Common Glass	Free.

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		£	s.	d.
182. Glass—*continued.*				
Articles of Green or Common Glass		Free.		
Manufactures, not otherwise enumerated or described, and old broken Glass fit only to be re-manufactured		Free.		
183. Glue		Free.		
Clippings or Waste of any kind fit only for Glue		Free.		
184. Gold, Leaves of		Free.		
Ore of, and Ore of which the greater Part in Value is Gold		Free.		
185. Grains, Guinea, and of Paradise	the Cwt.	0	15	0
186. Grapes	the Bushel	0	0	2
187. Grease		Free.		
188. Greaves, for Dogs		Free.		
Tallow		Free.		
189. Guano		Free.		
190. Gum, viz.:—				
Animi		Free.		
Copal		Free.		
Arabic		Free.		
Senegal		Free.		
Lac Dye		Free.		
Seed Lac		Free.		
Shellac		Free.		
Sticklac		Free.		
Ammoniacum		Free.		
Asafœtida		Free.		
Euphorbium		Free.		
Guiacum		Free.		
Kino		Free.		
Mastic		Free.		
Tragacanth		Free.		
Unenumerated		Free.		
191. Gunpowder		Free.		
192. Gun Stocks in the rough, of Wood		Free.		
193. Gutta Percha		Free.		
Manufactures of, not moulded, such as Bands, Sheets, Soles, Tubing	the Cwt.	0	5	0
Articles moulded	the lb.	0	0	2
194. Gypsum		Free.		
195. Hair, viz.:—				
Camel's Hair or Wool		Free.		
Cow, Ox, Bull, or Elk Hair		Free.		
Goat's Hair or Wool. See Wool.				
Horse Hair		Free.		
Human		Free.		
Unenumerated		Free.		
Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool and any other Material, not particularly enumerated or otherwise charged with Duty		Free.		
Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool and any other Material, wholly or in part made up, not particularly enumerated or otherwise charged with Duty	for every 100*l.* Value	5	0	0
196. Hams, of all Kinds		Free.		
197. Harp-strings, or Lute-strings silvered		Free.		
198. Hats or Bonnets, viz.:—				
Of Chip	the lb.	0	2	6
Of Bast, Cane, or Horsehair	the lb.	0	2	6
Of Straw	the lb.	0	2	6
Of Felt, Hair, Wool, or Beaver	each	0	1	0

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		£	s.	d.
199.	Hats of Silk or Silk Shag, laid upon Felt, Linen, or other Material - - - - - each	0	1	0
200.	Hay - - - - - - -	Free.		
201.	Heath for Brushes - - - - -	Free.		
202.	Hellebore - - - - - -	Free.		
203.	Hemp, viz. :—			
	dressed - - - - - -	Free.		
	rough or undressed - - - -	Free.		
	Tow and Codilla of Hemp - - -	Free.		
	Jute - - - - - -	Free.		
	other Vegetable Substances of the Nature and Quality of undressed Hemp, and applicable to the same Purposes - - - - -	Free.		
204.	Hides, not tanned, tawed, curried, or in any way dressed,			
	dry - - - - - -	Free.		
	wet - - - - - -	Free.		
	tawed, curried, or in any way dressed, not being varnished, japanned, or enamelled - - -	Free.		
	if varnished, japanned, or enamelled -	Free.		
	Losh Hides - - - - - -	Free.		
	Muscovy or Russia Hides, or Pieces thereof, tanned, coloured, shaved, or otherwise dressed - -	Free.		
	Hides or Pieces thereof, raw or undressed, unenumerated - - - - - -	Free.		
	in any way dressed, not otherwise enumerated - - - -	Free.		
	Tails, Buffalo, Bull, Cow, or Ox - - -	Free.		
	tanned, not otherwise dressed - - - -	Free.		
205.	Hones - - - - - - -	Free.		
206.	Honey - - - - - - -	Free.		
207.	Hoofs of Cattle - - - - - -	Free.		
208.	Hoops of Wood. See Wood.			
209	Hops - - - - - the Cwt.	2	5	0
210.	Horns, Horn Tips, and Pieces of Horn - - -	Free.		
211.	Ice - - - - - - -	Free.		
212.	Indigo - - - - - - -	Free.		
213.	Ink, for Printers - - - - - -	Free.		
	Indian - - - - - -	Free.		
214.	Inkle, unwrought - - - - - -	Free.		
	wrought - - - - - -	Free.		
215.	Iron, Ore of - - - - - -	Free.		
	Pig - - - - - - -	Free.		
	Bars, unwrought - - - - -	Free.		
	Wire - - - - - -	Free.		
	Rough Castings - - - - -	Free.		
	Bloom - - - - - - -	Free.		
	Chromate of - - - - - -	Free.		
	Slit or hammered into Rods - - -	Free.		
	Cast - - - - - - -	Free.		
	Hoops - - - - - - -	Free.		
	Old broken, and old Cast Iron - - -	Free.		
216.	Iron and Steel, wrought or manufactured, viz. :—			
	Machinery, Wrought Castings, Tools, Cutlery, and other Manufactures of Iron or Steel, not enumerated, the Cwt.	0	2	6
	Fancy ornamental Articles of Iron or Steel the Cwt.	0	15	0
217.	Isinglass - - - - - -	Free.		
218.	Jalap - - - - - -	Free.		

		£	s.	d.
219.	Japanned or Lacquered Ware - for every 100*l.* Value	10	0	0
220.	Jet - - - - - - - - -	Free.		
221.	Jewels, Emeralds, and all other precious Stones, set, for every 100*l.* Value	10	0	0
	unset - -	Free.		
222.	Juice of Lemons, Limes, or Oranges - - -	Free.		
223.	Kernels. See Nuts.			
224.	Kingwood - - - - -	Free.		
225.	Lace, and Articles thereof, viz.:—			
	Mohair or Worsted - - - the lb.	0	1	0
	Thread or Cotton Pillow Lace (not being Brussels Point or Saxon Bone Lace), not exceeding One Inch in Width - - - - - the lb.	1	0	0
	exceeding One Inch in Width - the lb.	2	0	0
	Silk Pillow Lace (not being Saxon Wire Ground Lace) and Application - - - the lb.	1	10	0
	Silk Saxon Wire Ground Lace, and all Lace known as Maltese - - - - - the lb.	0	8	0
	Brussels Point and other Lace, made by the Hand, not otherwise charged with Duty for every 100*l.* Value	10	0	0
226.	Lacquered Ware. See Japanned Ware.			
227.	Lamp Black - - - - - -	Free.		
228.	Lapis Calaminaris - - - - - -	Free.		
229.	Lard - - - - - -	Free.		
230.	Latten - - - - - - -	Free.		
	Shaven - - - - - -	Free.		
	Wire - - - - - - -	Free.		
231.	Lavender Flowers - - - - -	Free.		
232.	Lead, Ore of - - - - - -	Free.		
	Black - - - - - - -	Free.		
	Pig and Sheet - - - - -	Free.		
	Red - - - - - - -	Free.		
	White - - - - - -	Free.		
	Chromate of - - - - - -	Free.		
	Manufactures of, not otherwise enumerated - the Cwt.	0	2	0
233.	Leather Manufactures, viz.:—			
	Boots, Shoes, and Calashes, viz.			
	Women's Boots and Calashes - the Dozen Pairs	0	6	0
	If lined or trimmed with Fur or other Trimmings the Dozen Pairs	0	7	6
	Shoes with Cork or double Soles, quilted Shoes and Clogs - - - the Dozen Pairs	0	5	0
	If trimmed or lined with Fur or any other Trimming - - - - the Dozen Pairs	0	6	0
	Women's Shoes of Silk, Satin, Jean, or other Stuffs, Kid, Morocco, or other Leather, the Dozen Pairs	0	4	6
	If trimmed or lined with Fur or any other Trimming - - - the Dozen Pairs	0	5	0
	Girls Boots, Shoes, and Calashes, not exceeding Seven Inches in Length, to be charged with Two Thirds of the above Duties.			
	Men's Boots and Shoes:—			
	If the Quarter do not exceed Two and Three Quarter Inches, or the Vamp Four Inches in Height from the Sole Inside - the Dozen Pairs	0	7	0
	If either the Quarter or Vamp exceed the above Dimensions, but do not exceed Six Inches in Height from the Sole Inside - the Dozen Pairs	0	10	6

		£	s.	d.
233.	Leather Manufactures—*continued.*			
	Boots, Shoes, and Calashes—*continued.*			
	If either the Quarter or Vamp do exceed Six Inches in Height from the Sole Inside the Dozen Pairs	0	14	0
	Boys Boots, not exceeding Seven Inches in Length the Dozen Pairs	0	9	4
	Shoes, not exceeding Seven Inches in Length the Dozen Pairs	0	4	8
	Boot Fronts, not exceeding Nine Inches in Height the Dozen Pairs	0	1	9
	exceeding Nine Inches in Height the Dozen Pairs	0	2	9
	Boot Backs - - - the Dozen Pairs	0	1	6
	Cut into Shapes - - - the Cwt.	0	10	0
	Gloves of Leather, the following Duties, with 5 per Cent. thereon, viz. :—			
	* Habit Mitts - - the Dozen Pairs	0	2	4
	Gloves - - - the Dozen Pairs	0	3	6
	Men's Gloves - - the Dozen Pairs	0	3	6
	Women's Gloves or Mitts - the Dozen Pairs	0	4	6
	Any Articles made of Leather or any Manufacture whereof Leather is the most valuable Part, not otherwise enumerated or described for every 100*l.* Value	10	0	0
234.	Leaves of Gold. See Gold.			
235.	Leaves of Roses - - - - - -	Free.		
236.	Leeches - - - - - -	Free.		
237.	Lentils. See Seeds.			
238.	Lignum vitæ - - - - - -	Free.		
239.	Linen or Linen and Cotton Manufactures, viz :—			
	Cambric Handkerchiefs, hemmed or hem-stitched, not trimmed - - - - - the Dozen	0	2	6
	Stays - - - - the Dozen Pairs	0	4	0
	Articles, Manufactures of Linen, or of Linen mixed with Cotton or Wool, wholly or in part made up, not particularly enumerated, or otherwise charged with Duty - - for every 100*l.* Value	5	0	0
	Cambrics and Lawns, commonly called French Lawns, plain - - - - - -	Free.		
	Bordered Handkerchiefs - - - -	Free.		
	Lawns of any sort, not French - -	Free.		
	Damasks - - - -	Free.		
	Damask Diaper - - - -	Free.		
	Sails of all Sorts - - - -	Free.		
	Plain Linens and Diaper, whether chequered or striped with dyed Yarn or not - - -	Free.		
	Manufactures of Linen, or of Linen mixed with Cotton or with Wool, not particularly enumerated or otherwise charged with Duty, not being Articles wholly or in part made up - - - -	Free.		
240.	Liquorice Paste - - - - the Cwt.	1	0	0
	of and from British Possessions - - the Cwt.	0	10	0
	Powder - the Cwt.	1	0	0
	of and from British Possessions - the Cwt.	0	15	0
	Root, until 5th April 1857 inclusive - the Cwt.	0	5	0
	from and after 5th April 1857 - - -	Free.		
	Juice - - - - the Cwt.	1	0	0
241.	Litharge - - - - -	Free		

		£	s.	d.
242.	Live Creatures illustrative of Natural History - -	Free.		
243.	Logwood - - - - -	Free.		
244.	Lucifers, of Wood, in Boxes containing not more than 100 Matches - - the Gross of Boxes	0	0	2
	in Boxes containing more than 100 Matches - - the Gross of Boxes	0	0	3
	Vesta, of Wax, in Boxes not exceeding 1,000 Matches - - - the Doz. Boxes	0	0	6
	in Boxes exceeding 1,000 Matches - - the 1,000 Matches	0	0	0½
245.	Maccaroni. See Vermicelli.			
246.	Mace - - - - the lb.	0	1	0
247.	Madder - - - - -	Free.		
	Root - - - - -	Free.		
248.	Magna Græcia Ware - - - - -	Free.		
249.	Mahogany - - - - -	Free.		
250.	Mandioca Flour - - - - the Cwt.	0	0	4½
251.	Manganese, Ore of - - - -	Free.		
252.	Manna - - - - - -	Free.		
253.	Manna Croup - - - - the Cwt.	0	0	4½
254.	Manures not enumerated - - - -	Free.		
255.	Manuscripts - - - - -	Free.		
256.	Maps or Charts, or Parts thereof, plain or coloured - -	Free.		
257.	Maple Wood - - - - -	Free.		
258.	Marmalade, until 5th July 1854 inclusive - the lb.	0	0	2
	from and after 5th July 1854 - - the lb.	0	0	1½
259.	Mats and Matting - - - -	Free.		
260.	Mattresses - - - - -	Free.		
261.	Mead or Metheglin - - - -	Free.		
262.	Meat, salted or fresh, not otherwise described - -	Free.		
	preserved in any other Way than salted - -	Free.		
263.	Medals of Gold or Silver - - - -	Free.		
	of any other Sort - - - -	Free.		
264.	Medlars - - - - the Bushel	0	0	2
265.	Mercury, prepared - - - -	Free.		
266.	Metal, Bell - - - - - -	Free.		
	Leaf, not Gold - - - -	Free.		
267.	Mill-boards - - - the lb.	0	0	2½
268.	Minerals and Fossils, unenumerated - - -	Free.		
269.	Models of Cork or Wood - - - - -	Free.		
270.	Morphia and its Salts - - - the lb.	0	5	0
271.	Moss, viz.:—			
	Lichen Islandicus - - - -	Free.		
	Rock, for Dyers Use - - -	Free.		
	other than Rock or Iceland Moss - - -	Free.		
272.	Mother-o'-Pearl Shells - - - - - -	Free.		
273.	Musical Instruments, viz.:—			
	Musical Boxes, small, not exceeding Four Inches in Length - - - - the Air	0	0	3
	large - - the Air	0	0	8
	Overtures, or extra Accompaniments, the Air	0	2	6
	Pianofortes, horizontal grand - - each	3	0	0
	upright or square - - each	2	0	0
	Harmoniums or Seraphines, not exceeding Three Stops each	0	12	0
	Four Stops and not exceeding Seven Stops - each	1	4	0
	Eight Stops and not exceeding Eleven Stops - each	1	10	0
	exceeding Eleven Stops - - each	2	0	0

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		£	s.	d.
273. Musical Instruments—*continued.*				
Accordions, commonly called Chinese -	the 100 Notes	0	1	0
other Sorts, including Flutinas, and common German Concertinas -	the 100 Notes	0	5	0
Concertinas of octagon Form, not common German	each	0	4	0
Brass Instruments, all Sorts - -	the lb.	0	0	9
Musical Instruments, not otherwise enumerated or described - -	for every 100*l.* Value	10	0	0
274. Musk - - - - -		Free.		
275. Mustard, Flour - - -	the Cwt.	0	1	6
mixed or manufactured, except Flour -	the Cwt.	0	5	0
276. Myrobolanes. See Berries.				
277. Myrrh - - - - - -		Free.		
278. Naphtha - - - -		Free.		
279. New Zealand Wood - - - -		Free.		
280. Nicaragua Wood - - - - -		Free.		
281. Nickel, Ore of - - - -		Free.		
metallic, and Oxide of, refined - - -		Free.		
Arseniate of, in Lumps or Powder, being in an unrefined State - - -		Free.		
282. Nitre, viz., Cubic Nitre - - - -		Free.		
283. Nutmegs, except those commonly called Wild -	the lb.	0	1	0
Wild, in the Shell - - -	the lb.	0	0	3
not in the Shell - - -	the lb.	0	0	5
284. Nuts, viz.:—				
Chesnuts - - - - -		Free.		
Coco Nuts - - - - -		Free.		
Pistachio Nuts - - - - -		Free.		
Small Nuts - - - -	the Bushel	0	1	0
Walnuts - - - -	the Bushel	0	1	0
Nuts and Kernels of Walnuts, of Peach Stones, and all Nuts and Kernels unenumerated, commonly used for expressing Oil therefrom - - -		Free.		
Nuts and Kernels unenumerated - - -		Free.		
285. Nux Vomica - - - -	the Cwt.	0	2	0
286. Oakum - - - - -		Free.		
287. Ochre - - - - -		Free,		
288. Oil of Almonds - - - -	the lb.	0	0	1
Animal - - - -		Free.		
Bays - - - -	the lb.	0	0	1
Castor - - - -		Free.		
Chemical, Essential, or Perfumed, viz.:—				
Bergamot - - -	the lb	0	1	0
Carraway - - -	the lb.	0	1	0
Cassia - - - -	the lb.	0	1	0
Cloves - - - -	the lb.	0	1	0
Lavender - - - -	the lb.	0	1	0
Lemon - - - -	the lb.	0	1	0
Mint and Spearmint - -	the lb.	0	1	0
Oil or Otto of Roses - - -	the lb.	0	1	0
Peppermint - - -	the lb.	0	1	0
Spike - - - -	the lb.	0	1	0
Thyme - - - -	the lb.	0	1	0
unenumerated - - -	the lb.	0	1	0
Cocoa Nut - - - - -		Free		
Hempseed - - - - -		Free.		
Lard - - - - -		Free.		
Linseed - - - - -		Free.		

		£	s.	d.
288.	Oil—*continued.*			
	Olive	Free.		
	Palm	Free.		
	Paran	Free.		
	Rapeseed	Free.		
	Rock	Free.		
	Rosin	Free.		
	Seed, unenumerated	Free.		
	Train Oil or Blubber	Free.		
	Spermaceti, or Head Matter	Free.		
	Walnut	Free.		
	Or Spirit of Turpentine	Free.		
	not particularly enumerated or described, nor otherwise charged with Duty	Free.		
289.	Oilseed Cake	Free.		
290.	Oilcloth, for Table Covers the Square Yard	0	0	1
291.	Olibanum	Free.		
292.	Olives	Free.		
293.	Olive Wood	Free.		
294.	Onions the Bushel	0	0	1
295.	Opium the lb.	0	1	0
296.	Orange Flower Water	Free.		
297.	Oranges and Lemons the Bushel	0	0	8
	Peel of, viz.:—			
	Orange Peel	Free.		
	Lemon Peel	Free.		
297.	Orchal	Free.		
299.	Ore, unenumerated	Free.		
300.	Orpiment	Free.		
301.	Orris Root	Free.		
302.	Orsedew	Free.		
303.	Painter's Colours, unenumerated, viz.:—			
	unmanufactured	Free.		
	manufactured	Free.		
304.	Palmetto Thatch	Free.		
	Manufactures of	Free.		
305.	Paper, viz.:—			
	Brown Paper, made of old Rope or Cordage only, without separating or extracting the Pitch or Tar therefrom, and without any Mixture of other Materials therewith the lb.	0	0	2½
	printed, painted, or stained Paper Hangings, or Flock Paper the Square Yard	0	0	1
	Waste Paper, or Paper of any other Sort, not particularly enumerated or described, not otherwise charged with Duty the lb.	0	0	2½
	gilt, stained, coloured, embossed, and all fancy Kinds, not being Paper Hangings the lb.	0	0	2½
306.	Parchment	Free.		
307.	Partridge Wood	Free.		
308.	Pasteboard the lb.	0	0	2½
309.	Pearls	Free.		
310.	Pears, raw the Bushel	0	0	3
	dried the Bushel	0	1	0
311.	Pencils, of Slate	Free.		
	not of Slate	Free.		
312.	Pens	Free.		
313.	Pepper of all Sorts the lb.	0	0	6
	And 5 per Cent. thereon.			

		£	s.	d.
314. Percussion Caps	the 1,000	0	0	1
315. Perfumery, not otherwise enumerated	the lb.	0	0	2
316. Perry		Free.		
317. Pewter, Manufactures of, not otherwise enumerated,	the Cwt.	0	2	0
318. Phosphorus		Free.		
319. Pickles, preserved in Vinegar	the Gallon	0	0	1
and Vegetables, preserved in Salt		Free.		
320. Pictures		Free.		
321. Pimento	the Cwt.	0	5	0
322. Pink Root		Free.		
323. Pipes of Clay. See Tobacco Pipes.				
324. Pitch		Free.		
Burgundy		Free.		
325. Plantains		Free.		
326. Plants, Shrubs, and Trees, alive		Free.		
327. Plaster of Paris		Free.		
328. Plate, of Gold	the oz. Troy	1	1	0
of Silver, gilt or ungilt	the oz. Troy	0	1	8
battered		Free		
329. Platina, and Ore of		Free.		
330. Platting, or other Manufactures of Straw, Chip, or other Materials to be used in, or proper for making or ornamenting Hats or Bonnets, not otherwise enumerated or charged with Duty	the lb.	0	2	0
Cordonet, Single, and Twist of Straw, or of other Materials	the lb.	0	0	6
Willow Squares	the Dozen	0	0	1
331. Plums, commonly called French Plums, and Prunellos	the Cwt.	0	15	0
dried or preserved (except in Sugar), not otherwise described	the Cwt.	0	15	0
preserved in Sugar, until 5th July 1854 inclusive	the lb.	0	0	2
from and after 5th July 1854	the lb.	0	0	1½
332. Pollard		Free.		
333. Pomatum	the lb.	0	0	2
334. Pomegranates		Free.		
Peel of		Free.		
335. Pork, salted (not Hams)		Free.		
fresh		Free.		
336. Potatoes		Free.		
337. Potato Flour	the Cwt.	0	0	4½
338. Pots, viz.:—				
Melting Pots for Goldsmiths		Free.		
of Stone		Free.		
339. Poultry and Game, alive or dead, including Rabbits		Free.		
340. Powder, viz.:—				
Hair Powder	the lb.	0	0	2
perfumed	the lb.	0	0	2
not otherwise enumerated or described, that will serve the same Purpose as Starch	the Cwt.	0	0	1½
341. Prints and Drawings, viz.:—				
plain or coloured	the lb.	0	0	3
admitted under Treaties of International Copyright,	the lb.	0	0	1½
342. Prunes	the Cwt.	0	7	0
343. Prussiate of Potash		Free.		
344. Puddings. See Sausages.				

		£	s	d.
345.	Purple Wood	Free.		
346.	Quassia — the Cwt.	0	1	0
347.	Quicksilver	Free.		
348.	Quills, viz., Goose	Free.		
	Swan	Free.		
349.	Quinces — the Bushel	0	0	3
350.	Quinine, Sulphate of — the oz.	0	0	6
351.	Radix Contrayervæ	Free.		
	Enulæ Campanæ	Free.		
	Eringii	Free.		
	Ipecacuanhæ	Free.		
	Rhataniæ	Free.		
	Senekæ	Free.		
	Serpentariæ, or Snake Root	Free.		
352.	Rags, viz.:—			
	Rags, old Ropes, or Junk, old Fishing Nets, fit only for making Paper or Pasteboard	Free.		
	Woollen Rags	Free.		
	Pulp of Rags	Free.		
353.	Raisins — the Cwt.	0	10	0
354	Rape of Grapes	Free.		
355.	Red Wood or Guinea Wood	Free.		
356.	Rhubarb	Free.		
357.	Rice, viz.:—			
	not rough or in the Husk — the Cwt.	0	0	4½
	rough and in the Husk — the Qr.	0	0	9
	Dust for feeding Cattle	Free.		
	Upon Exportation from the United Kingdom of any Foreign Rice or Paddy cleaned therein, which shall have paid the Duties payable on the Importation thereof, and having been deposited in some Bonded Warehouse within One Calendar Month from the Date of such Payment, shall have there remained secured until the Time of Exportation, the Exporter making Declaration that such Rice was cleaned from rough Rice or Paddy upon which the Duties had been paid, there shall be allowed and paid for every Hundredweight thereof a Drawback equal in Amount to the Duty paid on every Four Bushels of the rough Rice or Paddy from which the same shall have been cleaned.			
358.	Rose Water	Free.		
359.	Rose Wood	Free.		
360.	Rosin	Free.		
	Oil of. See Oil.			
361.	Saccharum Saturni	Free.		
362.	Safflower	Free.		
363.	Saffron	Free.		
364.	Sago — the Cwt.	0	0	4½
365.	Sal, viz.:—			
	Ammoniac	Free.		
	Limonum	Free.		
	Prunellæ	Free.		
366.	Salep, or Salop	Free.		
367.	Salicine — the oz.	0	0	3
368.	Salt	Free.		
369.	Saltpetre	Free.		
370.	Sanguis Draconis	Free.		
371.	Santa Maria Wood	Free.		

		£	s.	d.
372. Sapan Wood		Free.		
373. Sarsaparilla		Free.		
374. Sassafras		Free.		
375. Satin Wood		Free.		
376. Sauces, not otherwise enumerated	the lb.	0	0	1
377. Saunders; viz.:—				
Red		Free.		
White or Yello		Free.		
378. Sausages or Puddings		Free.		
379. Scaleboards	the Cwt.	0	1	0
380. Scammony		Free.		
381. Seeds, viz.:—				
Acorns		Free.		
Aniseed		Free.		
Beans, Kidney or French		Free.		
Burnet		Free.		
Canary		Free.		
Caraway	the Cwt.	0	5	0
of and from British Possessions	the Cwt.	0	2	6
Carrot		Free.		
Clover		Free.		
Colchicum		Free.		
Cole		Free.		
Coriander		Free.		
Croton		Free.		
Cummin		Free.		
Dari		Free.		
Fenugreek		Free.		
Flax		Free.		
Forest		Free.		
Garden, unenumerated		Free		
Grass Seeds of all Sorts		Free.		
Hemp		Free.		
Leek		Free.		
Lentils		Free.		
Lettuce		Free.		
Linseed		Free.		
Lucerne		Free.		
Lupine		Free.		
Maw		Free.		
Millet		Free.		
Mustard		Free.		
Onion		Free.		
Parsley		Free.		
Poppy		Free.		
Quince		Free.		
Rape		Free.		
Sesamum		Free.		
Shrub or Tree		Free.		
Tares		Free.		
Trefoil		Free.		
Worm		Free.		
All Seeds unenumerated commonly used for expressing Oil therefrom		Free.		
All other Seeds not particularly enumerated or described, nor otherwise charged with Duty		Free.		
382. Semolina	the Cwt.	0	0	4½
383. Senna		Free.		

	£	s.	d.
384. Ships, with their Tackle, Apparel, and Furniture (except Sails), broken up or to be broken up :—			
Foreign - - - for every 100*l.* Value	5	0	0
British Ships, or Vessels entitled to be registered as such, not having been built in the United Kingdom	Free.		
385 Shumach - - - - - -	Free.		
386. Silk, viz. :—			
Knubs or Husks of Silk and Waste Silk - -	Free.		
Raw Silk - - - - -	Free.		
Thrown Silk, not dyed, Singles - - -	Free.		
Tram - - -	Free.		
Organzine or Crape - -	Free.		
Dyed, Single, or Tram - -	Free.		
Organzine or Crape - -	Free.		
Millinery of Silk, or of which the greater Part of the Material is of Silk, viz. :—			
Turbans or Caps - - each	0	3	6
Hats or Bonnets - - each	0	7	0
Dresses - - each	1	10	0
Corahs, Choppas, Bandannas, and Tussore Clothes, viz. :—			
in Pieces not exceeding 5¼ Yards in Length, the Piece	0	0	4
exceeding 5¼ and not exceeding 6¼ Yards, the Piece	0	0	6
exceeding 6¼ and not exceeding 7¼ Yards, the Piece	0	0	8
exceeding 7¼ and not exceeding 8¼ Yards, the Piece	0	0	9
exceeding 8¼ and not exceeding 9¼ Yards, the Piece	0	0	10
and for every additional Yard in Length, the Yard	0	0	1½
China Crape Shawls, Scarfs, and Handkerchiefs, viz :—			
plain and Damask - - the lb.	0	3	0
embroidered - - - the lb.	0	5	0
Damask - - - the running Yard	0	0	8
Pongees, viz :—			
in Pieces not exceeding 15 Yards in Length, the Piece	0	2	0
exceeding 15 Yards and not exceeding 21 Yards in Length - - - - the Piece	0	3	0
exceeding 21 Yards and not exceeding 31 Yards in Length - - - the Piece	0	5	0
Handkerchiefs, plain and figured, in Pieces not exceeding 9 Yards in Length the Piece	0	1	6
exceeding 9 Yards and not exceeding 18 Yards in Length - - - - the Piece	0	3	0
Manufactures of Silk, or of Silk and any other Material not being Articles wholly or in part made up, not particularly enumerated or otherwise charged with Duty - - - for every 100*l.* Value	15	0	0
of and from a British Possession, for every 100*l.* Value	5	0	0
Articles, Manufactures of Silk, or of Silk and any other Material, not particularly enumerated or otherwise charged with Duty - - for every 100*l* Value	15	0	0
of and from a British Possession, for every 100*l.* Value	5	0	0

	£	s.	d.
386. Silk—*continued.*			
Manufactures of Silk, or of Silk mixed with Metal, or any other Material, the Produce of Europe, viz. :—			
Silk or Satin, plain, striped, figured, or brocaded, viz. :—			
Broad Stuffs - - - the lb.	0	5	0
Articles thereof, not otherwise enumerated the lb.	0	6	0
or, and at the Option of the Officers of the Customs - for every 100*l.* Value	15	0	0
Gauze, or Crape, plain, striped, figured, or brocaded, viz. :—			
Broad Stuffs - - - - the lb.	0	9	0
Articles thereof, not otherwise enumerated, the lb.	0	10	0
or, and at the Option of the Officers of the Customs - - for every 100*l.* Value	15	0	0
Gauze, mixed with Silk, Satin, or other Materials, the Gauze being in less Proportion than One Half Part of the Fabric, viz. :—			
Broad Stuffs - - - - the lb.	0	9	0
Articles thereof, not otherwise enumerated, the lb.	0	10	0
or, and at the Option of the Officers of the Customs - - - for every 100*l.* Value	15	0	0
Velvet, plain, or figured, viz. :—			
Broad Stuffs - - - - - the lb.	0	9	0
Articles thereof, not otherwise enumerated, the lb.	0	10	0
or, and at the Option of the Officers of the Customs - - - for every 100*l.* Value	15	0	0
Broad Stuffs, the Foundation of which is wholly composed of Cotton, or other Materials than Silk - - - - - - the lb.	0	3	0
Ribbons, plain Silk, of One Colour only - the lb.	0	6	0
Plain Satin, of One Colour only - - the lb.	0	8	0
Silk or Satin, striped, figured, or brocaded, or plain Ribbons of more than One Colour - the lb.	0	10	0
Gauze or Crape, plain, striped, figured, or brocaded the lb.	0	14	0
Gauze mixed with Silk, Satin, or other Materials, the Gauze being in less Proportion than One Half Part of the Fabric - - the lb.	0	12	0
Velvet, or Silk embossed with Velvet - the lb.	0	10	0
the Foundation of which is wholly composed of Cotton, or other Materials than Silk, the lb.	0	3	6
Fancy Silk, Net, or Tricot - - the lb.	0	8	0
Plain Silk Lace or Net called Tulle - - the lb.	0	8	0
Manufactures of Silk, or of Silk mixed with any other Materials, called Plush - - the lb.	0	3	0
Black Plush, commonly used for making Hats, the lb.	0	1	0
Parasols and Umbrellas - - - each	0	1	0
Damask of Silk and Wool, or of Silk and other Materials, for Furniture - - - the lb.	0	0	10
Manufactures of Silk, or of Silk mixed with any other Materials, not particularly enumerated or charged with Duty - for every 100*l.* Value	15	0	0
387. Silkworm Gut - - - - -	Free.		
388. Silver Ore, or Ore of which the greater Part in Value is Silver - - - - -	Free.		
389. Skins, Furs, Pelts, and Tails, viz. :—			
Badger, undressed - - - -	Free.		
Bear " - - - -	Free.		

	£ s. d.
389. Skins—*continued.*	
Beaver, undressed	Free.
Cat „	Free.
Chinchilla „	Free.
Coney „	Free.
Deer „	Free.
Indian, half dressed	Free.
Deer, Indian, tanned, tawed, or in any way dressed	Free.
Dog, in the Hair, not tanned, tawed, or in any way dressed	Free.
Dog Fish, undressed	Free.
Elk „	Free.
Ermine „	Free.
dressed	Free.
Fisher, undressed	Free.
Fitch „	Free.
Fox „	Free.
Tails „	Free.
Goat, raw or undressed	Free.
tanned, tawed, or in any way dressed	Free.
Goose, undressed	Free.
Hare „	Free.
Husse „	Free.
Kangaroo „	Free.
Kid, in the Hair, undressed	Free.
dressed	Free.
and dyed or coloured	Free.
Kolinski, undressed	Free.
Lamb, undressed in the Wool	Free.
tanned or tawed	Free.
and dyed or coloured	Free.
dressed in oil	Free.
Leopard, undressed	Free.
Lion „	Free.
Lynx „	Free.
Marten „	Free.
Marten Tails „	Free.
Minx „	Free.
dressed	Free.
Mole, undressed	Free.
Musquash „	Free.
Nutria „	Free.
Otter „	Free.
Ounce „	Free.
Panther „	Free.
Pelts „	Free.
tanned, tawed, or in any way dressed	Free.
Racoon, undressed	Free.
Sable „	Free.
Tails or Tips, undressed	Free.
Seal, in the Hair, not tanned, tawed, or in any way dressed	Free.
Sheep, undressed in the Wool	Free.
tanned or tawed	Free.
dressed in Oil	Free.
Squirrel or Calabar, undressed	Free.
tawed	Free.
Tails, undressed	Free.
Swan, undressed	Free.
Tiger	Free.

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		£	s.	d.
389. Skins—*continued.*				
Weasel		Free.		
Wolf		Free.		
tawed		Free.		
Wolverings, undressed		Free.		
Skins and Furs, or Pieces of Skins and Furs unenumerated, viz :—				
raw or undressed		Free.		
tanned, tawed, curried, or in any way dressed		Free.		
Articles manufactured of Skins and Furs		Free.		
390. Smalts		Free.		
391. Soap, viz. :—				
hard	the Cwt.	0	0	8
soft	the Cwt.	0	0	8
Naples	the Cwt.	0	0	8
scented or fancy Soap	the lb.	0	0	2
392. Soy	the Gallon	0	0	6
393. Spa Ware	the Cubic Foot	0	0	6
394. Specimens of Minerals or Fossils		Free.		
illustrative of Natural History		Free.		
395. Speckled Wood		Free.		
396. Spectacles		Free.		
397. Spelter or Zinc, crude in Cakes		Free.		
rolled, but not otherwise manufactured		Free.		
Oxide and White of		Free.		
Rods for Bolts		Free.		
Manufactures of, not otherwise enumerated	the Cwt.	0	2	0
398. Spermaceti		Free.		
399. Spirits or Strong Waters, of all Sorts, viz. :—				
For every Gallon of such Spirits or Strong Waters of any Strength, not exceeding the Strength of Proof by Sykes's Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon, viz. :—				
Spirits, not being Spirits or Strong Waters, the Produce of any British Possessions in America, or the Island of Mauritius, or any British Possessions within the Limits of the East India Company's Charter, and not being sweetened Spirits, or Spirits mixed with any Articles, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer, viz. :—				
Brandy	the Gallon	0	15	0
Geneva	the Gallon	0	15	0
Other than Brandy or Geneva	the Gallon	0	15	0
Spirits or Strong Waters, the Produce of any British Possession in America, or the Island of Mauritius, not being sweetened Spirits, or Spirits so mixed as aforesaid, viz. : -				
Rum—				
If imported into England	the Gallon	0	8	2
If imported into Scotland	the Gallon	0	5	0
If imported into Ireland	the Gallon	0	3	8
Spirits, other than Rum—				
If imported into England	the Gallon	0	8	2
If imported into Scotland	the Gallon	0	5	0
If imported into Ireland	the Gallon	0	3	8
Rum, the Produce of any British Possessions within the Limits of the East India Company's Charter, in				

		£	s.	d.
399. Spirits—*continued.*				
regard to which the Conditions of the Act 4 Vict. Cap. 8. have or shall have been fulfilled, not being sweetened Spirits, or Spirits so mixed as aforesaid:—				
If imported into England - -	the Gallon	0	8	2
If imported into Scotland -	the Gallon	0	5	0
If imported into Ireland -	the Gallon	0	3	8
Rum Shrub, however sweetened, the Produce of and imported from such Possessions, qualified as aforesaid, or of and from any British Possession in America, or the Island of Mauritius:—				
If imported into England -	the Gallon	0	8	2
If imported into Scotland -	the Gallon	0	5	0
If imported into Ireland -	the Gallon	0	3	8
Spirits or Strong Waters (except Rum), the Produce of any British Possession within the Limits of the East India Company's Charter, qualified as aforesaid, not being sweetened Spirits, or Spirits so mixed as aforesaid - - - -	the Gallon	0	15	0
Spirits, Cordials, or Strong Waters, not being the Produce of any British Possession in America, or the Island of Mauritius, nor of any British Possession within the Limits of the East India Company's Charter, qualified as aforesaid, being sweetened or mixed as aforesaid; and perfumed Spirits, to be used as Perfumery only - - -	the Gallon	1	0	0
Strong Waters, except Rum Shrub, being the Produce of any British Possessions in America, or the Island of Mauritius, or of any British Possessions qualified as aforesaid, sweetened or mixed with any Article as aforesaid - - -	the Gallon	1	0	0
Cordials and Liqueurs, except Rum Shrub, being the Produce of any British Possession in America, or the Island of Mauritius, or of any British Possession within the Limits of the East India Company's Charter, qualified as aforesaid, being sweetened or mixed as aforesaid - - -	the Gallon	0	9	0
Spirits or Strong Waters imported into the United Kingdom mixed with any Ingredient, and although thereby coming under some other Denomination, except Varnish, shall nevertheless be deemed to be Spirits or Strong Waters, and be subject to Duty as such.				
400. Sponge - - - - - -		Free.		
401 Squills, dried - - - - - -		Free.		
not dried - - - - - -		Free.		
402. Starch - - - - -	the Cwt.	0	0	4½
Gum of, torrified or calcined - - -	the Cwt.	0	0	4½
403. Stavesacre - - - - - -		Free		
404. Stearine, till the 5th April 1858, unless the Duty upon Tallow shall be sooner repealed, in which Case the Duty shall cease - - - -	the Cwt.	0	3	6
after the 5th April 1858 - - - -		Free.		
405. Steel, unwrought - - - - -		Free.		
manufactured or wrought. (See Iron.)				
Scrap - - - - -		Free.		
406. Stones, viz.:—				
Stone, in Lumps, not in any Manner hewn - -		Free.		
Slate, in rough Blocks or Slabs - - -		Free.		
hewn - - - - -		Free.		

	£	s.	d.
406. Stones—*continued.*			
Marble, in rough Blocks or Slabs - -	Free.		
sawn into Slabs or otherwise manufactured	Free.		
Limestone - - - - -	Free.		
Asphalt Rock - - - -	Free.		
Flint - - - - -	Free.		
Felspar and Stones, for Potters Use - -	Free.		
Pebble - - - - -	Free.		
For Lithography - - - -	Free.		
In Blocks, shaped or rough scalped - -	Free.		
Mill Stones, rough - - - -	Free.		
shaped or hewn - - -	Free.		
Burr Stones, rough - - -	Free.		
shaped or hewn - - -	Free.		
Quern Stones, rough - - -	Free.		
shaped or hewn - - -	Free.		
Dog Stones, rough - - - -	Free.		
shaped or hewn - - -	Free.		
407 Straw or Grass for plaiting - - - -	Free.		
408. Succades, including all Fruits and Vegetables, preserved in Sugar, not otherwise charged with Duty, until the 5th July 1854 inclusive - - - the lb.	0	0	2
from and after 5th July 1854 - - the lb.	0	0	1½
409. Sugar, viz.:—			
Sugar or Molasses the Growth and Produce of any British Possession into which the Importation of Foreign Sugar is prohibited, being imported from such British Possession, viz.:—			
Candy, Brown or White, refined Sugar, or Sugar rendered by any Process equal in Quality thereto the Cwt.	0	13	4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality thereto, not being refined or equal to refined - - - the Cwt.	0	11	8
Muscovado, or any other Sugar not being equal in Quality to White Clayed - - the Cwt.	0	10	0
Molasses - - - - the Cwt.	0	3	9
Sugar or Molasses the Growth and Produce of any other British Possession, being imported from such British Possession, viz:—			
Candy, Brown or White, refined Sugar, or Sugar rendered by any Process equal in Quality thereto, until the 5th July 1854 inclusive the Cwt.	0	15	4
from and after the 5th July 1854 - the Cwt.	0	13	4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality thereto, not being refined or equal to refined, until the 5th July 1854 inclusive - - - the Cwt.	0	12	10
from and after the 5th July 1854 - the Cwt.	0	11	8
Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality thereto, and not equal to White Clayed, until the 5th July 1854 inclusive - - - - the Cwt.	0	11	10
from and after the 5th July 1854 - the Cwt.	0	10	0
Muscovado, or any other Sugar not being equal in Quality to Brown Clayed Sugar, until the 5th July 1854 inclusive - - the Cwt.	0	11	0
from and after the 5th July 1854 - the Cwt	0	10	0

		£	s.	d.
409. Sugar—*continued.*				
Molasses, until the 5th July 1854 inclusive	the Cwt.	0	4	2
from and after the 5th July 1854 -	the Cwt.	0	3	9
Sugar or Molasses the Growth and Produce of any Foreign Country, and all Sugar or Molasses not otherwise charged with Duty, viz.:—				
Candy, Brown or White, refined Sugar, or Sugar rendered by any Process equal in Quality thereto, until the 5th July 1854 inclusive -	the Cwt.	0	17	4
from and after the 5th July 1854 -	the Cwt.	0	13	4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality thereto, not being refined or equal to refined, until the 5th July 1854 inclusive - - -	the Cwt.	0	14	0
from and after the 5th July 1854 -	the Cwt.	0	11	8
Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality thereto, and not equal to White Clayed, until the 5th July 1854 inclusive - - -	the Cwt.	0	13	0
from and after the 5th July 1854 -	the Cwt.	0	10	0
Muscovado, or any other Sugar, not being equal in Quality to Brown Clayed Sugar, until the 5th July 1854 inclusive - -	the Cwt.	0	12	0
from and after the 5th July 1854	the Cwt.	0	10	0
Molasses, until the 5th July 1854 inclusive	the Cwt.	0	4	6
from and after the 5th July 1854 -	the Cwt.	0	3	9
The following Duties shall be drawn back upon Removal to the Isle of Man on such Conditions as the Commissioners of Her Majesty's Treasury may direct, or upon Exportation to Foreign Parts, of the several Descriptions of refined Sugar herein-after mentioned, made in the United Kingdom from Sugar on which the Duties of Importation shall have been paid:—				
Upon refined Sugar, in Loaf, complete and whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or such Sugar pounded, crushed, or broken, or Sugar Candy, - -	for every Cwt.	0	12	6
Upon Bastard or refined Sugar broken in Pieces, or being ground or powdered Sugar, or such Sugar pounded, crushed, or broken	for every Cwt.	0	10	0
410. Sulphur Impressions - - - - -		Free.		
411. Sweet Wood - - - - - -		Free.		
412. Talc - - - - - -		Free.		
413. Tallow - - - - - -	the Cwt.	0	1	6
of and from British Possessions - -	the Cwt.	0	0	1
Vegetable - - - - - -		Free.		
414. Tamarinds - - - - - - - -		Free.		
415. Tapioca - - - - - - -	the Cwt.	0	0	4½
416. Tar - - - - - - - - -		Free.		
Barbadoes - - - - - -		Free.		
417. Tares. See Seeds.				
418. Tarras - - - - - - -		Free.		

		£	s.	d.
419.	Tartaric Acid - - - - - - -	Free.		
420.	Tea,—until 5th April 1854 inclusive - - the lb.	0	1	10
	from and after 5th April 1854 until 5th April 1855 inclusive - - - - the lb.	0	1	6
	from and after 5th April 1855 until 5th April 1856 inclusive - - - - the lb.	0	1	3
	from and after 5th April 1856 - - the lb.	0	1	0
	Without any Allowance for Draft.			
421.	Teasles - - - - - - - -	Free.		
422.	Teeth, viz., Elephants - - - - -	Free.		
	Sea Cow, Sea Horse, or Sea Morse - - -	Free.		
423.	Telescopes - - - - - -	Free.		
424.	Terra, viz., Japonica - - - - -	Free.		
	Sienna - - - - -	Free.		
	Verde - - - - -	Free.		
	Umbra - - - - -	Free.		
425.	Thread, not otherwise enumerated or described - - -	Free.		
426.	Tiles - - - - - - -	Free.		
427.	Tin, Ore and Regulus of - - - -	Free.		
	in Blocks, Ingots, Bars, or Slabs - - -	Free.		
	Foil - - - - the Cwt.	0	10	0
	Manufactures of, not otherwise enumerated - the Cwt.	0	10	0
428.	Tincal, unrefined. See Borax.			
429.	Tobacco, the following Duties, with 5 per Cent. thereon, viz.:—			
	unmanufactured, stemmed or stripped - the lb.	0	3	0
	unstemmed - - - - the lb.	0	3	0
	manufactured, or Segars - - - the lb.	0	9	0
	Snuff - - - - the lb.	0	6	0
	Stalks, and Flour of - - - - prohibited.			
	manufactured in the United Kingdom, made into Cut, Shag, Roll, or Carrot Tobacco, or Cigars, such Cigars, when exported as Merchandise, being packed in Cases containing not less than One hundred Pounds net Weight, a Drawback shall be allowed on Exportation or Shipment as Stores - - - - the lb.	0	2	7½
430.	Tobacco Pipes of Clay - - - - -	Free.		
431.	Tongues - - - - - - -	Free.		
432.	Tornsal - - - - - -	Free.		
433.	Tortoise or Turtle Shell, unmanufactured - - -	Free.		
434.	Toys, viz.:—			
	Marbles - - - - - the Cwt.	0	1	0
	All other Toys - - - the Cubic Foot	0	0	4
435.	Truffles - - - - - -	Free.		
436.	Tulip Wood - - - - - - -	Free.		
437.	Turmeric - - - - - - -	Free.		
438.	Turnery, not otherwise described - - the Cubic Foot	0	0	4
439.	Turpentine - - - - - - -	Free.		
	Of Venice, Scio, or Cyprus - - - -	Free.		
	Oil, or Spirit of. See Oil.			
440.	Twine - - - - - - -	Free.		
441.	Ultra Marine - - - - - - -	Free.		
442.	Valonia - - - - - - -	Free.		
443.	Vanelloes - - - - - -	Free.		
444.	Varnish, containing any Quantity of Alcohol or Spirit the Gallon	0	12	0
	not otherwise described - - - -	Free.		
445.	Vases, viz., ancient, not of Stone or Marble - -	Free.		
446.	Vegetables, all, not otherwise enumerated or described -	Free.		
	preserved in Salt - - - - -	Free.		

		£	s.	d.
447.	Vellum	Free.		
448.	Veneers - the Cwt.	0	1	0
449.	Verdigris	Free.		
450.	Verjuice	Free.		
451.	Vermicelli and Maccaroni - the Cwt.	0	1	0
452.	Vermilion	Free.		
453.	Vinegar - the Gallon	0	0	3
454.	Wafers	Free.		
455.	Walnut Wood	Free.		
456.	Washing Balls - the lb.	0	0	2
457.	Watches, of Gold, Silver, or any other Metal, exceeding the Value of 10*l.* each - each	1	0	0
	Other Watches, viz.:—			
	Gold, open Faces - each	0	5	0
	Hunters - each	0	7	6
	Repeaters - each	0	15	0
	Silver, or any other Metal not Gold:—			
	Open Faces - each	0	2	6
	Hunters - each	0	3	6
	Repeaters - each	0	8	0
458.	Water, Cologne, the Flask (Thirty of such Flasks containing not more than One Gallon) - each	0	0	8
	When not in Flasks (as perfumed Spirit) the Gallon	1	0	0
	Mineral	Free.		
459.	Wax, viz.:—Bleached	Free.		
	Unbleached	Free.		
	Myrtle	Free.		
	Sealing	Free.		
	Vegetable	Free.		
460.	Weld	Free.		
461.	Whale Fins	Free.		
462.	Whipcord	Free.		
463.	Wine, of and from Foreign Countries, and 5 per Cent. thereon, viz.:—			
	Red - the Gallon	0	5	6
	White - the Gallon	0	5	6
	Lees of such Wine - the Gallon	0	5	6
	The Growth and Produce of any British Possession, and imported direct from thence, and 5 per Cent. thereon:—			
	Red - the Gallon	0	2	9
	White - the Gallon	0	2	9
	Lees of such Wine - the Gallon	0	2	9
	The full Duties on Wine may be drawn back upon Re-exportation or Shipment as Stores, but no Drawback allowed on Lees of Wine.			
464.	Wire, viz.:—Gilt or plated	Free.		
	Silver	Free.		
	Copper or Brass. See Copper and Brass respectively.			
465.	Wood	Free.		
466.	Wood and Timber, the following Duties, with 5 per Cent. thereon, on all Wood and Timber the Produce of British Possessions, viz.:—			
	Timber or Wood, not being Deals, Battens, Boards, Staves, Handspikes, Oars, Lathwood, or other Timber or Wood sawn, split, or otherwise dressed, except hewn, and not being Timber or Wood otherwise charged with Duty, the Load of 50 Cubic Feet	0	7	6

Customs Tariff Act.

466. Wood and Timber—*continued.*

	£	s.	d.
Of and from British Possessions, the Load of 50 Cubic Feet	0	1	0
Deals, Battens, Boards, or other Timber or Wood sawn or split, and not otherwise charged with Duty, the Load of 50 Cubic Feet	0	10	0
Of and from British Possessions - the Load of 50 Cubic Feet - - - - - - -	0	2	0

Or, in lieu of ascertaining the cubical Contents in Pile, the Importer may have the Option, at the Time of passing the First Entry, in respect of Planks, Deals, Deal Ends, Battens, and Batten Ends, not the Produce of the British Possessions, of entering the same by Tale upon a Computation of their Cubic Content, calculated according to the under-mentioned Scale, specifying in such Entry the Number and Dimensions of the several Pieces included therein; and the Duties imposed thereon by this Act shall be ascertained, computed, and charged upon the Planks, Deals, Deal Ends, Battens, and Batten Ends, included in such Entry on the cubical Contents thereof, computed in conformity with the said Scale.

—	Planks.	Deals.	Battens.		
	3 × 11 Inch and not above 3¼ × 11½ Inch.	3 × 9 Inch and not above 3¼ × 9½ Inch.	3 × 7 Inch and not above 3¼ × 7¼ Inch.	2½ × 7 Inch and not above 2⅝ × 7¼ Inch.	2½ × 6½ Inch and not above 2⅝ × 6⅝ Inch.
	Cubic Feet.	Cubic Feet.	Cubic Feet.	Cubic Feet.	Cubic Feet.
Not above 4 Feet in Length, the 120 - - -	115	95	73	61	57
Above 4 Feet and not above 5 Feet in Length, the 120 -	144	118	91	77	71
Above 5 Feet and not above 6 Feet in Length, the 120 -	173	142	110	92	86
Above 6 Feet and not above 7 Feet in Length, the 120 -	202	165	128	107	100
Above 7 Feet and not above 8 Feet in Length, the 120 -	231	189	146	123	114
Above 8 Feet and not above 9 Feet in Length, the 120 -	260	213	165	138	128
Above 9 Feet and not above 10 Feet in Length, the 120 -	288	236	183	153	143
Above 10 Feet and not above 11 Feet in Length, the 120 -	317	260	201	169	157
Above 11 Feet and not above 12 Feet in Length, the 120 -	346	284	220	184	171
Above 12 Feet and not above 13 Feet in Length, the 120 -	375	307	238	200	185
Above 13 Feet and not above 14 Feet in Length, the 120 -	404	331	256	215	200
Above 14 Feet and not above 15 Feet in Length, the 120 -	433	354	274	230	214
Above 15 Feet and not above 16 Feet in Length, the 120 -	462	378	293	246	228
Above 16 Feet and not above 17 Feet in Length, the 120 -	490	402	311	261	242
Above 17 Feet and not above 18 Feet in Length, the 120 -	519	425	329	276	257
Above 18 Feet and not above 19 Feet in Length, the 120 -	548	449	348	292	271
Above 19 Feet and not above 20 Feet in Length, the 120 -	577	473	366	307	285
Above 20 Feet and not above 21 Feet in Length, the 120 -	606	496	384	322	300

466. Wood and Timber—*continued.*	£	s.	d.
Staves, exceeding 72 Inches in Length, 7 Inches in Breadth, or 3¼ Inches in Thickness, the Load of 50 Cubic Feet - - - - -	0	9	0
Of and from British Possessions, the Load of 50 Cubic Feet - - - -	0	2	0
Staves, not exceeding 72 Inches in Length, nor 7 Inches in Breadth, nor 3¼ in Thickness - -	Free.		
Birch and Fir, hewn, not exceeding 3 Feet in Length, nor exceeding 8 Inches Square, imported for the sole Purpose of making Herring Barrels for the Use of the Fisheries - - - -	Free.		
Firewood - - the Fathom of 216 Cubic Feet	0	6	0
Of and from British Possessions, the Fathom of 216 Cubic Feet	Free.		
Handspikes, not exceeding 7 Feet in Length - the 120	0	6	0
Of and from British Possessions - the 120	0	0	6
Exceeding 7 Feet in Length - - the 120	0	12	0
Of and from British Possessions - the 120	0	1	0
Hoops - - - - -	Free.		
Knees, under 5 Inches Square - - the 120	0	3	0
Of and from British Possessions - the 120	0	0	3
5 and under 8 Inches Square - - the 120	0	12	0
Of and from British Possessions - the 120	0	1	0
Lathwood - the Fathom of 216 Cubic Feet	0	12	0
Of and from British Possessions the Fathom of 216 Cubic Feet	0	1	0
Oars - - - - - - the 120	2	5	0
Of and from British Possessions - the 120	0	3	9
Spars or Poles, under 22 Feet in Length and under 4 Inches in Diameter - - - the 120	0	6	0
Of and from British Possessions - the 120	0	0	6
22 Feet in Length and upwards, and under 4 Inches in Diameter - - - the 120	0	12	0
Of and from British Possessions - the 120	0	1	0
Of all Lengths, 4 and under 6 Inches in Diameter, the 120	1	4	0
Of and from British Possessions - the 120	0	2	0
Spokes for Wheels, not exceeding 2 Feet in Length, the 1,000	1	4	0
Of and from British Possessions - the 1,000	0	1	0
Exceeding 2 Feet in Length - the 1,000	2	8	0
Of and from British Possessions - the 1,000	0	2	0
Teak - - - - -	Free.		
Waste Wood, viz., Billet Wood, or Brush Wood used for the Purpose of Stowage - - -	Free.		
For Shipbuilding, viz.:—			
Stringy Bark, Red and Blue Gum, Green Hart, Mora and Locust Woods, and Woods formerly admitted at the same Duty as Teak - - -	Free.		
Treenails of Stringy Bark, Red and Blue Gum, and Locust Woods, and all Treenails of and from British Possessions - - - -	Free.		
Shovel Hilts - - - - -	Free.		
Planed or otherwise dressed or prepared for Use, and not particularly enumerated or otherwise charged with Duty - - - per Cubic Foot	0	0	2
And further - - for every 100*l.* Value	10	0	0
Of and from British Possessions, for every 100*l.* Value	5	0	0

	£	s.	d.
467. Wool, viz., Alpaca and the Llama Tribe - - -	Free.		
Beaver - - - - - -	Free.		
Cut and combed - - - -	Free.		
Coney Wool - - - - -	Free.		
Cotton Wool and Waste of Cotton Wool - -	Free.		
Goats Wool or Hair - - - -	Free.		
Hares Wool - - - - -	Free.		
Sheep or Lambs Wool - - - -	Free.		
468. Woollens, viz.:—Manufactures of Wool (not being Goats Wool), or of Wool mixed with Cotton, not particularly enumerated, and not otherwise charged with Duty -	Free.		
Articles or Manufactures of Wool (not being Goats Wool), or of Wool mixed with Cotton, viz.:—			
Carpets and Rugs - - the Square Yard	0	0	6
Shawls, Scarfs, and Handkerchiefs, plain the lb.	0	0	4
printed - the lb.	0	0	8
Gloves - - - the Dozen Pairs	0	0	3
Wholly or in part made up, not otherwise charged with Duty - - - for every 100*l.* Value	5	0	0
469. Yarn, Cable Yarn - - - - - -	Free.		
Camel or Mohair - - - -	Free.		
Raw Linen - - - - -	Free.		
of Silk and Worsted, spun together and not dyed -	Free.		
Worsted Yarn, fit and proper for Embroidery the lb.	0	0	6
Raw, not dyed, or only partially dyed, and not being fit or proper for embroidering or other fancy Purposes -	Free.		
470. Yeast, dried - - - - - -	Free.		
471. Zaffre - - - - - -	Free.		
472. Zebra Wood - - - - -	Free.		
473. Goods, being either in part or wholly manufactured, and not being enumerated or described, nor otherwise charged with Duty, and not prohibited to be imported into or used in Great Britain or Ireland - for every 100*l.* Value	10	0	0
474. Goods, not being either in part or wholly manufactured, not enumerated or described, nor otherwise charged with Duty, and not prohibited to be imported into or used in Great Britain or Ireland - - -	Free.		

TABLE (B.)

DUTIES APPLICABLE TO THE ISLE OF MAN.

1. Coffee, the Import Duties in Great Britain or Ireland not having been there paid thereon - - - - the lb.	0	0	2
2. Corn, viz., Wheat, Barley, Bear or Bigg, Oats, Rye, Peas, Beans, Buckwheat, Maize, or Indian Corn - the Quarter	0	1	0
Wheat Meal and Flour, Barley Meal, Oat Meal, Rye Meal, and Flour Pea Meal, Bean Meal, Buckwheat Meal, and Maize or Indian Corn Meal - the Cwt.	0	0	4½
3. Hemp - - - - - - -	Free.		
4. Hops, from Great Britain or Ireland - - - -	Free.		

	£	s.	d.
5. Iron - - - - - - - - -	Free.		
6. Spirits, viz.:—			
Brandy, Geneva, and all Foreign Spirits, not being Liqueurs, Cordials, or perfumed Spirits - the Gallon	0	6	0
Rum and Rum Shrub, of the British Possessions, the Gallon	0	3	8
British or Irish Spirits exported from a Duty-free Warehouse under Bond in the United Kingdom, the Gallon	0	3	0
Such Spirits not exceeding the Strength of Proof by Sykes's Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon.			
7. Eau de Cologne, per Flask, (30 not containing more than 1 Gallon)	0	0	4
or the Gallon	0	10	0
8. Liqueurs, Cordials, and perfumed Spirits - - the Gallon	0	10	0
9. Sugar, viz.:—			
Muscovado - - - - the Cwt.	0	1	0
Sugar Candy, White or Brown, refined Sugar, or Sugar rendered by any Process equal to refined, Foreign or British - - - - the Cwt.	0	8	0
From and after the 5th of July 1854 - the Cwt.	0	3	0
10. Tea - - - - - - - - the lb.	0	1	0
From and after the 5th of July 1854 - the lb.	0	0	6
11. Tobacco, viz.:—			
Unmanufactured - - - the lb.	0	1	6
Manufactured - - - - the lb.	0	4	9
Cigars - - - - - the lb.	0	4	9
12. Wine - - - - the Tun of 252 Gallons	12	0	0
13. Wood, all Sorts - - - - - - -	Free.		
14. Goods, Wares, and Merchandise brought from Great Britain or Ireland and entitled to any Bounty or Drawback of Excise on Exportation from thence, and not herein-before enumerated or charged with Duty - -	Free.		
15. Goods, Wares, and Merchandise, the Growth, Produce, or Manufacture of and brought from Great Britain or Ireland and not herein-before charged with Duty -	Free.		
16. Goods, Wares, and Merchandise, not the Growth, Produce, or Manufacture of Great Britain or Ireland but brought from thence, and having there been entered for Consumption, and the Import Duties having been there paid thereon - - - -	Free.		
17. Goods, Wares, and Merchandise imported or brought from any Place from whence such Goods may be lawfully imported into the Isle of Man, and not herein-before charged with Duty, or declared to be free of Duty, for every 100*l.* of the Value thereof - - -	15	0	0

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Customs Consolidation Act.

(16 & 17 VICTORIÆ, Cap. 107.)

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SCHEDULES.

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

Appointment of Officers, Ports, &c.

Salaries and Securities.

Salaries, &c. not subject to Duties.

Superannuation Allowances not assignable.

proper Persons for the Management and Collection of the Customs, and the Performance of all Duties connected therewith, under the Control and Direction of the Commissioners of Customs, and to grant to such Persons such Salaries or Allowances, or to permit them to receive such Emoluments for executing the Duties of their respective Offices, as may be proper, and to require of such Persons such Securities for their good Conduct as the said Commissioners of the Customs shall deem necessary; and such Persons shall hold their Offices during the Pleasure of the Commissioners of the Treasury or of the Commissioners of Customs; and all Salaries or Allowances granted to any Officer or other Person in the Service of the Customs shall be paid without any Deduction on account of any Duties imposed by any Act of Parliament, unless expressly charged thereon; and when any Sum of Money shall have been or shall be granted annually or otherwise to any Person who has been or shall have been employed in the Service of the Customs as a Superannuation Allowance upon the Retirement of such Person from such Service, or as a Compensation for past Services, it shall not be lawful for the Grantee of such Allowance or Compensation to assign or dispose of the same to any Person or Persons whomsoever, and any such Assignment or Disposition shall be void to all Intents and Purposes, and shall not be enforced in any Court of Law or Equity.

Persons employed on Service of the Customs to be deemed Officers for such Service.

Existing Appointments and Securities for good Conduct to remain in force.

II. Every Person employed on any Duty or Service relating to the Customs, Trade, or Navigation, either in the United Kingdom, the Channel Islands, or any of Her Majesty's Possessions abroad, by the Orders or with the Concurrence of the Commissioners of Customs (whether previously or subsequently expressed), shall be deemed to be the Officer for that Duty or Service; and every Act required by Law to be done by or with any particular Officer nominated for such Purpose, if done by or with any Person appointed by the Commissioners of Customs to act for such particular Officer, shall be deemed to be done by or with such particular Officer; and every Act required by Law to be done at any particular Place within any Port, if done at any Place within such Port appointed by the Commissioners of Customs for such Purpose, shall be deemed to be done at the particular Place so required by Law; and all Commissions, Deputations, and Appointments granted to any Officers of the Customs in force at the Commencement of this Act shall continue in force as if the same had been granted under the Authority of this Act, and all Bonds or other Securities which shall have been given by or for any such Officers and their respective Sureties for good Conduct or otherwise shall remain in full Force.

III. If

III. If any Officer, Clerk, or other Person acting in any Office or Employment in or belonging to the Customs shall accept any Fee, Perquisite, or Reward, whether pecuniary or otherwise, directly or indirectly, from any Person (not being a Person appointed to some Office in the Customs) on account of anything done or omitted to be done by him in or in any way relating to his said Office or Employment, except such as he shall receive under Permission of the Commissioners of the Treasury, such Officer, Clerk, or other Person so offending shall, on Proof thereof to the Satisfaction of the Commissioners of Customs, be dismissed from his Office.

Appointment of Officers, Ports, &c.

Officers taking Fee or Reward not authorized by Law to be dismissed.

IV. Every Person who shall be appointed to any Office or Employment in the Customs, under the Control and Direction of the Commissioners of Customs, shall on his Admission thereto make the following Declaration:

Declaration on Admission to Office.

'I *A.B.* do declare, That I will be true and faithful in the Execu-
'tion, to the best of my Knowledge and Power, of the Trust com-
'mitted to my Charge and Inspection in the Service of Her Majesty's
'Customs; and that I will not require, take, or receive any Fee,
'Perquisite, Gratuity, or Reward, whether pecuniary or of any Sort
'or Description whatever, either directly or indirectly, for any
'Service, Act, Duty, Matter, or Thing done or performed or to be
'done or performed in the Execution or Discharge of any of the
'Duties of my Office or Employment, on any Account whatever,
'other than my Salary and what is or shall be allowed me by Law,
'or by any special Order of the Commissioners of Her Majesty's
'Treasury or the Commissioners of Her Majesty's Customs for the
'Time being.'

V. The Commissioners of the Treasury may, by their Warrant, from Time to Time appoint the Hours of general Attendance of the Commissioners and Officers of Customs, and of other Persons in the Customs Service, at their proper Offices and Places of Employment; and the Commissioners of Customs may appoint the Times during such Hours at which any particular Parts of the Duties of any such Officers and other Persons shall be performed.

Hours of Attendance, and Division of Duties in those Hours.

VI. No Day shall be kept as a public Holiday by the Customs except every *Christmas Day* and *Good Friday*, and such other Days as may be appointed to be kept as such by Her Majesty's Proclamation, and, so far as regards *Scotland*, such Days as shall be appointed to be so kept by Authority of the General Assembly, and also such Days as shall have been or may be appointed for the Celebration of the Birthdays of Her Majesty and of Her Successors, and such Days shall

Holidays.

Appointment of Officers, Ports, &c.

shall be kept as public Holidays by the Officers and Servants of the Dock Companies in the United Kingdom.

Officers of Customs not to serve in public Offices.

VII. No Commissioner, Officer, Clerk, or other Person acting in the Management or Collection of the Customs shall be compelled to serve in the Militia, or on any Jury or Inquest, or to assume the Office of a Mayor or Sheriff, or to act in any corporate, parochial, or other public Office.

What shall be deemed Orders, &c. of Commissioners of Customs.

VIII. Every Order, Document, or Instrument required by Law to be under the Hands of the Commissioners of Customs, but not required to be signed by Two or more of them, being attested by the Signature of any One of such Commissioners, and every Order, Document, or Instrument required by any Law to be under the Hands or under the Hands and Seals of the Commissioners of Customs, being attested by the Hands or the Hands and Seals of Two or more of such Commissioners, shall be deemed to be an Order, Document, or Instrument under the Hands, or under the Hands and Seals, as the Case may be, of the Commissioners of Customs; and all Orders and Regulations made by the Commissioners of Customs under any Act or Acts relating to the Customs, now repealed, shall remain in force until altered, revoked, or rescinded, or others made by them in lieu thereof, and all Acts done in pursuance of any such Orders and Regulations shall be and are hereby declared to be valid.

Appointment of Ports.

As to the Appointment of Ports, Quays, Warehouses, Sufferance Wharfs, Landing and Boarding Stations:

Treasury may appoint Ports and Quays, and alter or annul the same.

IX. The Commissioners of the Treasury may, by their Warrant, appoint any Port or Sub-Port in the United Kingdom, or in the Channel Islands, and declare the Limits thereof, and appoint proper Places within the same to be Legal Quays for the lading and unlading of Goods, and declare the Bounds and Extent of any such Quays, or annul the Limits of any Port, Sub-Port, Haven, Creek, or Legal Quay, already appointed or to be hereafter set out and appointed, and declare the same to be no longer a Port, Sub-Port, Haven, Creek, or Legal Quay, or alter or vary the Names, Bounds, and Limits thereof; and all Ports, Havens, and Creeks, and the respective Limits thereof, and all Legal Quays, appointed, set out, and existing as such at the Time of the passing of this Act, shall continue to be such Ports, Havens, Creeks, and Quays until annulled, varied, or altered; and any Port, Haven, Creek, or Quay, or the Limits thereof, now annulled or altered, shall continue so annulled or altered until otherwise varied or altered as aforesaid.

Existing Ports, &c. to continue.

X. The

Appointment of Officers, Ports, &c.

Treasury may appoint Warehousing Ports.

Commissioners may appoint Warehouses, &c.,

X. The Commissioners of the Treasury may, by their Warrant, from Time to Time appoint the Ports in the United Kingdom which shall be Warehousing Ports for the Purposes of this Act, and, subject to their Directions, the Commissioners of Customs may by their Order from Time to Time approve and appoint Warehouses or Places of Security in such Ports, and direct in what different Parts or Divisions of such Warehouses or Places, and in what Manner, any Goods, and what Sort of Goods, may and may only be warehoused, kept, and secured without Payment of Duty upon the First Entry thereof, or for Exportation only, in Cases where the same may be prohibited to be imported for Home Use, and may approve of any Premises as Bonded Sugar Houses for the refining of Sugar for Removal to the *Isle of Man* or for Exportation, and may direct in what Cases, and with what Sureties, and to what Amount, Security by Bond shall be required in respect of any Warehouse so approved or appointed as aforesaid, or in respect of any Goods deposited therein, or for the Security of the Duties due thereon, or in respect of any Bonded Sugar House so approved as aforesaid, or in respect of any Sugar removed thereto, or the due Refinement and Return thereof to the Warehouse, the Removal to the *Isle of Man*, or the Exportation thereof, within such Period as the Commissioners of Customs shall direct, or for Security of the Duties due on such Sugar; and the Commissioners of Customs may, out of the Monies arising from Duties of Customs, provide Warehouses for the warehousing of Tobacco at the Ports into which Tobacco may be legally imported, and may, for every Package of Tobacco so warehoused, charge the Importer or Proprietor of such Tobacco any such Sum or Sums for Warehouse Rent as they may see fit, not exceeding what is now payable; and the Commissioners of Customs may also fix the Amount of Rent which shall be payable in respect of any Goods deposited or secured in any of the Queen's Warehouses; and all such Sums shall be paid, received, and appropriated as Duties of Customs.

and Premises for refining Sugar for Exportation, and approve Security.

Commissioners of Customs to provide Warehouses for Tobacco, and to charge Rent.

Warehouse-keeper to give general Security.

XI. The Proprietor or Occupier of every Warehouse (except existing Warehouses of special Security, in respect of which Security by Bond has heretofore been dispensed with), or some One on his Behalf, shall give or procure to be given Security by Bond, with Two sufficient Sureties, or by Two Bonds each with One sufficient Surety, or such other Security as the Commissioners of the Treasury or of Customs may approve, for the Payment of the full Duties of Importation on or for the due Exportation of all such Goods as shall at any Time be warehoused therein; and no Goods shall be warehoused in any such Warehouse after the passing of this Act until such Security shall have been given.

Appointment of Officers, Ports, &c.

Existing Appointments, Approvals, and Bonds to continue in force.

Importer's Bonds dispensed with.

XII. All existing Appointments and Approvals of Warehouses for the Warehousing of Goods and of Bonded Sugar Houses, in respect of which Security shall have been given by the Proprietor or Occupier thereof as aforesaid, shall continue in force as if the same had been made under the Authority of this Act, unless and until the same shall be revoked as herein-after provided; and no Bond shall, after the passing of this Act, be required to be given by the Importer of any Goods on the warehousing thereof, but all existing Bonds given in respect of any Goods warehoused or entered to be warehoused in any Warehouse prior to the passing of this Act shall continue in force as if given under this Act.

Commissioners may appoint Stations and Sufferance Wharves, &c.,

and regulate Discharge of Cargo, and boarding of Officers.

XIII. The Commissioners of Customs may from Time to Time, by Order under their Hands, appoint Stations or Places for Ships arriving at or departing from any Port or Place to bring to for the boarding or landing of Officers of the Customs, and may also appoint Places to be Sufferance Wharves for the lading and unlading of Goods by Sufferance, in such Cases, under such Restrictions, and in such Manner as they shall see fit, and may also direct at what particular Part or Parts of any Harbour, Dock, Quay, or other Place in any Port, Ships laden with Tobacco or any particular Cargo shall moor and discharge such Cargo; and the Commissioners of Customs, or the Collector or Comptroller of any Port under their Directions, may station Officers on board any Ship while within the Limits of any Port in the United Kingdom.

Power to revoke or alter former Warrants or Orders.

XIV. The Commissioners of the Treasury by their Warrant, and the Commissioners of Customs by their Order, may from Time to Time revoke any former Warrant or any former Order, or make any Alteration in or Addition to any former Warrant or any former Order made as aforesaid by them respectively.

Licensing Agents.

As to the licensing of Agents for the Transaction of Business relating to the Entry and Clearance of Ships, Goods, and Baggage, and of Lightermen for the Carriage of Goods to and from importing and exporting Ships:

Treasury to appoint in what Ports Agents shall be licensed.

XV. The Commissioners of the Treasury may by their Warrant appoint and declare in what Ports or Places in the United Kingdom Persons acting as Agents in the Entry or Clearance of any Ships, or of any Goods or Baggage, or any Business relating thereto, shall be required to be duly licensed for that Purpose, and may from Time to Time revoke such Warrants or Appointments, and make others in lieu thereof, when and as they may see fit; and such Warrants, if they relate to Ports or Places in *Great Britain*, shall be published in the *London Gazette*, if to Ports or Places in *Ireland* in the *Dublin Gazette*,

Gazette, and if to Ports and Places in *Great Britain* and *Ireland* in both those Gazettes: Provided always, that the Appointments already made as to *London*, *Dublin*, *Dover*, *Folkestone*, *Southampton*, and *Shoreham* shall continue as if such Appointments had been made under this Act, until the same shall be revoked.

Appointment of Officers, Ports, &c.

Existing Appointments not to be altered.

XVI. The Commissioners of Customs may and they are hereby authorized to grant Licences, in such Form and Manner and to such Persons as they shall think fit, to act as Agents for transacting Business which shall relate to the Entry or Clearance of any Ship, or of any Goods or of any Baggage, in any of the Ports or Places in respect of which such Appointments as aforesaid now are or hereafter shall be made, so long as such Appointments shall remain in force, and, by Order under their Hands, may cancel or revoke any Licence so granted to any such Person for Fraud or Misconduct; a Copy of such Order stating the Cause of Dismissal shall be delivered to such Person, or to his Clerk, or left at his usual Place of Abode or Business, but such Person shall be at liberty to appeal to the Commissioners of Customs in manner provided by Sections Thirty-three and Thirty-four of this Act for an Investigation and Reconsideration of the Case; and if no such Appeal be made within Three Days after the Delivery of a Copy of such Order, or if such Order shall be confirmed, such Licence shall be void; and the Commissioners of Customs on granting any such Licence are hereby empowered to require Bond to be given by every Person to whom such Licence shall be granted (not being One of the Sworn Brokers of the City of *London*, and acting as such Agent in the Port of *London*), with One sufficient Surety, in the Sum of One thousand Pounds, for the faithful and incorrupt Conduct of such Person and of his Clerks, acting for him, both as regards the Customs and his Employers; and all Licences heretofore granted by the Commissioners of Customs to any Persons to act as Agents shall be valid until revoked, and all Bonds taken for the faithful and incorrupt Conduct of such Persons shall remain in full Force: Provided always, that any Person, or any Persons in Copartnership, may, with the Approval of the Commissioners of Customs, appoint a Clerk or Servant to transact such Business on his or their Behalf, and the Name, Residence, and Date of Appointment of such Clerk or Servant shall thereupon be endorsed on the Licence of such Person or Persons, and shall be signed by him or them in the Presence of and attested by the Collector or Comptroller of Customs at the Port for which such Licence is granted, and all such Appointments shall be recorded in a Register to be kept at the Custom House for that Purpose; and no Person shall act as such Clerk or Servant unless so appointed, endorsed, and recorded, nor act for or on behalf of any other than the Person or Persons so appointing him; and every such

Commissioners to grant Licences to Agents.

Bond to be given for faithful Conduct.

Agents may appoint Clerks to act for them under certain Conditions.

Appointment of Officers, Ports, &c.

such Appointment may be revoked by the Commissioners of Customs at any Time, by Order under their Hands.

Commissioners may order in what Ports Goods may be carried or water-borne by authorized Persons.

XVII. The Commissioners of Customs may order and direct in what Ports or Places in the United Kingdom Goods cleared for Drawback or from the Warehouse shall be carried or water-borne to be put on board any Ship for Exportation, or Goods carried or water-borne from any importing Ship to, or to be landed at any Wharf, Quay, or other Place, shall be so carried or water-borne only by Persons authorized for that Purpose by Licence under the Hands of the Commissioners of Customs, and may revoke any such Orders or Directions, or make others in lieu thereof, when and as they may deem expedient; and the Commissioners of Customs may grant such Licences in such Form and Manner and to such Persons as they may deem proper, and may revoke the same when and as they shall think fit; and before granting any such Licence the Commissioners may require such Security by Bond for the faithful and incorrupt Conduct of such Person as they shall deem necessary; and all such Licences in force at the Time of the Commencement of this Act shall continue in force as if the same had been granted under the Authority of this Act.

Commissioners may grant Licences and require Bonds.

Existing Licences to continue in force.

Collection of Duties, &c.

As to the Collection and Management of Duties of Customs, Drawbacks, and Allowances:

Duties, Drawbacks, &c. to be under the Management of the Commissioners of Customs.

XVIII. All Duties of Customs, or other Duties under the Management, Collection, or Control of the Commissioners of Customs, Drawbacks and Allowances, now imposed and allowed, or which may hereafter be imposed or allowed by Law, shall be under the Management of the Commissioners of Customs for the Time being, and shall be ascertained, raised, levied, collected, paid, recovered, allowed, and applied or appropriated, under the Provisions of the Laws for the Time being in force relating thereto; and all Duties and Drawbacks imposed and allowed according to any specified Quantity or any specified Value shall be deemed to apply in the same Proportion to any greater or less Quantity or Value, and shall be paid and received in every Part of the United Kingdom in *British* Currency, and according to Imperial Weights and Measures.

Duties and Drawbacks to be in British Currency, and according to Imperial Weight and Measure.

When new Duties of Customs are imposed in lieu of former ones, such former ones are to continue until the new Duties become chargeable, except in certain Cases.

XIX. In all Cases where any new Duties of Customs, or other Duties under the Management, Collection, or Control of the Commissioners of Customs, are or may be imposed by any Act or Acts, in lieu of any former Duties payable at the Time of the passing of such Act or Acts, such former Duties shall be and continue payable until such new Duties imposed in lieu thereof shall become chargeable, save and except in Cases where the Act or Acts imposing such new Duties shall otherwise provide; and all Monies arising from any Duties

Duties of Customs, or any Arrears thereof, on account of any Goods whatever imported into or exported from the United Kingdom under any former Act, although computed under such former Act, and whether secured by Bond or otherwise, shall be levied and appropriated in the same Manner as if the same had been made payable by this Act, or any other Act in force for the Time being; and all Drawbacks or Allowances payable under any former Act shall be paid or allowed under this or such other Act as may be in force for the Time being.

Appointment of Officers, Ports, &c.

Duties due before the passing of this Act to be levied, &c. as if payable by this Act.

XX. All Goods whatsoever which now are or may be deposited in any Warehouse or Place of Security under any Act of Parliament passed or to be passed for the Warehousing of Goods without Payment of Duty upon the First Importation thereof, or which may be imported and on board any Ship, shall, upon being entered for Home Consumption, be subject to such and the like Duties as may at the Time of passing such Entry be due and payable on the like sort of Goods under any Act or Acts passed for imposing any Duty or Duties of Customs which shall or may be in force at the Time of passing such Entry, save and except in Cases where special Provision shall be made in any such Act or Acts to the contrary.

Goods in Warehouse, when entered for Home Consumption, to be chargeable with existing Duties on like sort of Goods.

As to the Receipt and Payment of Monies arising from the Duties of Customs, and the keeping of the Account thereof:

Receipts and Payments.

XXI. All Monies, Bills, Notes and Drafts received by or coming to the Hands of the Receiver General of the Customs in *England* on account of the Revenue of Customs in *Great Britain* shall be paid by him into the Hands of the Governor and Company of the Bank of *England*, and all other Monies arising by the Duties of Customs in *Great Britain* (the necessary Charges of raising and accounting for the same excepted) shall from Time to Time be paid into the Hands of the Governor and Company of the Bank of *England*, and shall be placed to an Account to be raised in the Books of the said Company, intituled "The Account of the Public Monies of the Receiver General of Customs," inserting the Name of such Receiver General for the Time being, and all Monies arising from the Duties of Customs in *Ireland* (the necessary Charges of raising and accounting for the same and all other Deductions allowed by Law or by the Orders and Regulations of the Treasury for the Time being excepted) shall be paid into the Receipt of Her Majesty's Exchequer.

All Monies, &c. received by Receiver General of Customs to be paid into the Bank of England.

All Monies arising in Ireland to be paid into the Exchequer.

XXII. The Commissioners of the Treasury may from Time to Time establish such Rules and Regulations as they may think necessary for keeping the Accounts of the Receiver General of the Customs with the Governor and Company of the Bank of *England*, and of the Governor and Company of the Bank of *England* in relation thereto, and also for Payment and Appropriation of the

The Treasury may make Rules for keeping the Accounts of the Revenue of the Customs, and for Appropriation thereof.

Appointment of Officers, Ports, &c.

Monies arising from the Duties of Customs, and so brought to Account for Her Majesty's Service, and from Time to Time to alter or revoke such Rules and Regulations, and make others in lieu thereof, and the Rules and Regulations now in force shall remain and continue to be acted upon until the same shall be so altered or revoked or others established by the said Commissioners of the Treasury in lieu thereof, and the said Receiver General, observing the Rules and Regulations so prescribed, shall not be answerable for any Money, Bills, Notes, or Drafts which he shall have so paid or caused to be paid into the Bank of *England;* and the Governor and Company of the Bank of *England* shall be answerable for all the Monies, Bills, Notes and Drafts which shall be actually received by them from and on account of such Receiver General as aforesaid: Provided always, that nothing in this Act contained shall be held in any way to alter or affect the Provisions of an Act passed in the Fourth and Fifth Years of the Reign of King *William* the Fourth, Chapter Fifteen.

Responsibility for Monies, &c.

Bank to keep an Account, to be returned to the Customs, for Inspection by the Comptroller General.

XXIII. The Governor and Company of the Bank of *England*, or some Person duly authorized in that Behalf, shall daily, upon receiving any Money, Bills, Notes or Drafts from such Receiver General of the Customs, make an Entry of the Money, Bills, Notes and Drafts so received in a Book to be provided by the Governor and Company of the Bank of *England*, which Book shall be forthwith re-delivered to the Persons making the Payments for the Customs, for which Monies, Bills, Notes and Drafts the Entry in the Book herein-after mentioned shall be a sufficient Discharge; and such Book shall be inspected daily after its Return by the Comptroller General of the Customs or his Clerk (such Clerk being first duly authorized by him, and for whose Conduct he shall be answerable), who shall compare the same with the Account of Monies, Bills, Notes and Drafts received by the said Receiver General, for the Purpose of ascertaining that the Receiver General constantly pays into the Bank all the Money, Bills, Notes and Drafts, as required under the Provisions of this Act; and any Default which such Comptroller General or his Clerk may discover in that Behalf shall be immediately reported by him to the said Commissioners of Customs, who shall report the same, unless it shall appear to them to have arisen from Mistake or Inadvertence, to the said Commissioners of the Treasury.

Any Default to be reported to the Treasury.

Bank of England not to dispose of Monies, &c. except for a specified Purpose.

XXIV. The Governor and Company of the Bank of *England* shall not pay, or transfer, apply, or dispose of any Part of the Money, Notes, Bills of Exchange or Drafts which may be paid in and placed to the Account of such Receiver General from such Account, except in accordance with the Rules and Regulations for the Time being of the Commissioners of the Treasury, unless any such Notes, Bills of Exchange

Exchange or Drafts shall be required by the Solicitor of Customs for the Purpose of taking out an Extent for the Security of the Money for which the same shall have been given, in which Case such Notes, Bills of Exchange or Drafts, or any of them, shall be delivered to such Solicitor or his Clerk, on the Order of the Commissioners of Customs for that Purpose, and such Delivery shall be entered in the Book herein directed to be provided.

Appointment of Officers, Ports, &c.

XXV. Every Sum of Money which shall be due in the Port of *London* upon any Debenture, Certificate, or other Instrument for the Payment of any Money out of the Duties of Customs shall be paid by the Receiver General of the Customs out of any Money so paid into the Bank of *England* on account of the Receiver General of Customs, in accordance with the Rules and Regulations for the Time being in respect thereof, and every such Payment shall be allowed by the Commissioners for the better examining and auditing the Public Accounts of this Kingdom in the settling or auditing of the Accounts of the Receiver General of the Customs; and when any such Payment shall become due at any other Port in the United Kingdom the same may be paid by the Collector at such Port out of any of the Monies in his Hands arising from the Duties of the Customs under the Directions of the Commissioners of Customs; and as it is expedient to extend the Period within which Over-payments of Duty may be returned, the Commissioners of Customs are hereby authorized, at any Time within Six Years after the Over-payment of any Duties, on its being proved to their Satisfaction that the same were over-paid in error, to return such Duties; but no such Return shall be made, nor any Claim allowed, unless made and established within such Period of Six Years.

In London, Debentures and Orders to be paid by Receiver General;

at any other Port by the Collector.

Time for Return of Duties overpaid extended to Six Years.

XXVI. The Commissioners of Customs shall and may finally settle and close the Accounts of any Collectors or Receivers of any Part of the Revenue of the Customs, or other Duties, under their Management, notwithstanding an erroneous Appropriation of any Duties of Customs received by such Collectors or Receivers, and the said Commissioners are hereby empowered to correct such Appropriation, in order to prevent the Accounts of any such Collectors or Receivers from being kept open, and all such Corrections shall be allowed by the Commissioners for auditing the Public Accounts in passing the general Accounts of Customs.

Commissioners of Customs may close Accounts of Collectors.

XXVII. Upon the Death, Resignation, or Removal of the present and of every other Receiver General of the Customs hereafter to be appointed, the Balance of Cash for which he shall at that Time have Credit on his Account as such Receiver General with the Governor and Company of the Bank of *England* shall, as soon as a Successor shall

On the Death or Removal of Receiver General the Balance to vest in his Successor.

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shall be appointed to the said Office, vest in such Successor, and until such Successor shall be appointed in such Person or Persons as shall for the Time being be duly authorized to execute the Duties of the said Office, in trust for the Service of the Public, and be forthwith transferred, carried over, and placed to the Account of such Successor or other Person or Persons as aforesaid, to be applied to the Service accordingly.

Punishment for Forgery on Receiver General, Transportation for Life.

XXVIII. If any Person or Persons shall knowingly and wilfully forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly and wilfully act or assist in forging or counterfeiting, the Name or Handwriting of any Receiver General of the Customs, or of any Comptroller General of the Customs, or of any Person acting for them respectively as aforesaid, to any Draft, Instrument or Writing whatsoever, for or in order to the receiving or obtaining any of the Money in the Hands or Custody of the Governor and Company of the Bank of *England*, on account of the Receiver General of the Customs, or shall forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly and wilfully act or assist in the forging or counterfeiting, any Draft, Instrument or Writing in Form of a Draft made by such Receiver General or Person as aforesaid, or shall utter or publish any such knowing the same to be forged and counterfeited, with an Intention to defraud any Person whomsoever, every such Person or Persons so offending, being thereof convicted, shall be declared and adjudged to be guilty of Felony, and shall be transported beyond the Seas for Life.

Disputes between Importer and Officers.

As to Disputes and Controversies between the Importer of Goods and the Officers of Customs as to the Duty due on such Goods:

In case of Dispute, Importer to deposit the Duty demanded

XXIX. If any Dispute shall arise as to the proper Rate of Duty payable in respect of any Goods imported into the United Kingdom, and admissible for Home Consumption, the Importer or Consignee, or his Agent, shall deposit in the Hands of the Collector of the Customs at the Port of Importation the Amount of Duty demanded by such Collector; and such Deposit shall be deemed and taken to be the proper Duty payable in respect of such Goods, unless an Action or Suit shall be brought or commenced by the Importer of such Goods within Three Months from the Time of making such Deposit, in One of Her Majesty's Courts of Law at *Westminster*, *Dublin*, or *Edinburgh*, against such Collector, for the Purpose of ascertaining whether any and what Amount of Duty is due and payable upon such Goods; and, upon Payment of such Deposit, and passing a proper Entry for such Goods, by the Importer, Consignee, or Agent, such Collector shall thereupon cause the said Goods to be delivered in virtue of such Entry.

On Payment of such Deposit, and passing Entries for the Goods, Importer to have Delivery.

XXX. Where

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Deposits to be carried to Consolidated Fund.

If no Action brought within the Three Months, Deposit to be retained as Duties.

If Action brought, and determined against the Revenue, Importer to b indemnified.

XXX. Where such Deposit shall have been made as aforesaid the same shall be paid by the said Collector to the Receiver General of Customs, to be by him carried to the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland;* and in case no Action shall be brought within the Time herein-before limited for that Purpose, such Deposit shall be retained and applied to the Use of Her Majesty, in the same Manner as if the same had been originally paid and received as the Duty due and payable on such Goods; and in case such Action shall be so brought, and it shall thereupon be determined by due Course of Law that the Duty so demanded and deposited was not the proper Duty due and payable upon such Goods, but that a less Duty was payable thereon, then the Difference between the Sum so deposited and the Duty so found to be due, or the whole Sum so deposited, as the Case may require, shall forthwith be returned to such Importer, with Interest thereon after the Rate of Five Pounds *per Centum per Annum* for the Period during which the Sum so paid or returned shall have been so deposited; and such Payment shall be accepted by such Importer in satisfaction of all Claims in respect of the Importation of such Goods and the Duty payable thereon, and of all or any Damages and Expenses incident thereto, except Costs of Suit, as next herein-after provided; that is to say, Provided always, that the Party to such Action or Suit in whose Favour a Verdict shall be given shall be entitled to his Costs of Suit as between Party and Party against the other Party to such Action or Suit, such Costs to be taxed by the proper Officer of the Court in which such Action shall be brought, in the usual Way; and if such Verdict shall be given against the Plaintiff in such Action or Suit the Costs so taxed as aforesaid shall be recoverable and recovered against the Plaintiff in the same Manner as Damages and Costs in an ordinary Action or Suit in such Court are recoverable by Law; but if such Verdict shall be given against the Collector as Defendant in such Suit, the Costs so taxed as aforesaid shall be paid by the Commissioners of Customs out of any Monies arising from the Duties of Customs.

By whom Costs of Suit payable.

Complaints, &c.

As to Complaints and Disputes between Merchants and others and the Officers of Customs, the public Investigation thereof, and Inquiries touching Matters relating to the Customs, and the Conduct of Officers or others concerned therein:

Disputes and Inquiries in London.

XXXI. If in the Port of *London* any Dispute shall arise between any Masters or Owners of Ships, Merchants, Importers, Consignees, Shippers, or Exporters of Goods, or their Agents, or Licensed Agents, and any Officer of Customs, with reference to the Seizure or Detention of any Ship or Goods, or to any apparently accidental Omission, Inadvertence, or Noncompliance with the Laws or Regulations

 relating

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relating to the Customs, or touching the Withdrawal of Agents Licences, it shall be lawful for the Commissioners to dispose of or determine such Dispute in such Manner as they may deem just.

Power to remit or mitigate Penalties.

XXXII. If upon Consideration of the Facts and Circumstances out of which such Dispute shall have arisen the Commissioners of Customs shall be of opinion that any Penalty or Forfeiture has been incurred by any such Master, Owner, Merchant, Importer, Consignee, Shipper, Exporter, or Agent, the said Commissioners may, in case they shall be of opinion that the Penalty ought to be remitted, remit and forego the same accordingly, or, in case they shall be of opinion that a mitigated Penalty should be imposed and enforced, mitigate any such Penalty or Forfeiture to such Amount as they may deem a sufficient Satisfaction for the Breach of Law or Regulation complained of.

Appeal to open Court.

XXXIII. In case any such Master, Owner, Merchant, Importer, Shipper, Exporter, or Agent shall feel himself aggrieved by the Determination of the Commissioners of Customs in any of the Cases aforesaid, or have any Ground of Complaint against any Officer of Customs in respect of anything done or omitted to be done by such Officer in or about the Execution of his Duty, the Party so feeling himself aggrieved shall, upon an Application in Writing to the Commissioners of Customs, which Application shall state the Substance of his Complaint, or the Reasons of his Dissatisfaction with such Determination, be entitled to have the Facts and Circumstances of such Complaint or Determination inquired into by One of the said Commissioners in the Manner following:

Commissioner to conduct public Inquiry.

XXXIV. Upon Receipt of such Application as aforesaid the Commissioners of Customs shall depute One of such Commissioners to inquire into the Subject Matter of such Application, for which Purpose a suitable Apartment shall be provided, to which the Parties complaining and the Parties complained against, and their Agents and Witnesses, and all other Persons interested or desirous of attending, shall have free Access; and the Commissioner so deputed shall receive the Statement of the Complainant or his Agent or Attorney, and hear any Reasons which he or they may advance in Support of his Complaint, and the said Commissioner shall take or cause to be taken any Evidence on Oath which the said Complainant may offer and adduce in support of his Complaint, and write down or cause to be written down and report the Substance of such Evidence in a narrative Form, and his Opinion thereon and on the Arguments, if any, adduced on the Hearing of the Case, for the Information of the said Commissioners, and in like Manner the Commissioner so deputed as aforesaid shall take and write down or cause to be taken down and written, and report, for

for the Information of the said Commissioners of Customs, any Evidence which may be offered in support of such Determination of the Commissioners, or in case of a Complaint against an Officer such exculpatory Evidence as the Officer complained against may offer or adduce; and the Course of Proceeding with respect to the taking of such Evidence and the Conduct of such Inquiry shall be in as close Conformity as the Nature of such Inquiry will admit with the Practice adopted before Justices on Inquiries had before such Justices.

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XXXV. The Commissioners of Customs, upon the Evidence so reported to them, shall either determine to prosecute, if they deem it a proper Case for Prosecution, or decide the Case upon such Evidence, and make their Order thereon accordingly, which Order shall be communicated by a Commissioner in open Court either on the same Day or a future Day to be appointed at the Hearing for that Purpose; and every Order of the Commissioners of Customs, made upon Consideration of the Facts, Circumstances, and Evidence so reported by the Commissioner by whom such Inquiry shall have been holden, shall, in case any Penalty or mitigated Penalty or Forfeiture shall be adjudged by such Order to be paid or enforced, be of equal Force, Validity, and Effect as any Conviction for Penalties which any Justice or Justices is or are now empowered by Law to make, and upon the Production of any such Order under the Hands of any Two or more of the Commissioners of Customs to any Justice or Justices of the Peace it shall be lawful for such Justice or Justices to enforce such Order, in the same Manner and by the like Authority as such Justice or Justices is or are now empowered to enforce Orders under and by virtue of an Act passed in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Forty-three, unless the Party against whom such Order shall have been made shall, within One Week after the same shall have been communicated as aforesaid, give Notice in Writing to the Commissioners of Customs or to their Solicitor that he refuses to abide by such Order, in which Case the Commissioners of Customs may direct such Proceedings thereon as they may see fit, or the Party against whom such Order shall have been made shall have the same Remedy by Action in any Court having Jurisdiction, including the "Court of Requests of the City of *London* and the Liberties thereof," as if no such Hearing or Order had been made: Provided always, that if any such Master, Owner, Importer, Shipper, Exporter, or Agent (not wishing to resort to such Appeal as herein-before provided) be desirous of stating his Case personally to One of the Commissioners of Customs, he shall be at liberty to do so on attending at the Custom House during the Sitting of the Board on applying for that Purpose.

Commissioners to prosecute or decide.

Award may be enforced.

XXXVI. The

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Power to keep Order.

XXXVI. The Commissioner of Customs so deputed to inquire as aforesaid shall have and exercise, while engaged in the Conduct of such Inquiry, and to as full an Extent as the same is now exercised by any Justice or Justices in Sessions, all necessary Powers and Authority to enforce Order and Propriety of Conduct.

Disputes and Inquiries at Outports.

XXXVII. If at any of the Outports any Dispute shall arise between any Master or Owner of Ships, Merchants, Importers, Consignees, Shippers, or Exporters of Goods, or their Agent or Agents, and any Officer of Customs, with reference to the Class of Cases herein-before enumerated as arising or occurring in the Port of *London*, the like Inquiry shall be holden, the like Course of Proceeding adopted, the like Mode of taking Evidence pursued, the like Accommodation for the Parties concerned provided, the like Authorities for maintaining Order given, and, as nearly as may be, the like Matters in every respect done, as herein-before provided for Inquiry into and Conduct of similar Proceedings in the Port of *London*, save and except that the Duty herein-before prescribed to be performed by One of the Commissioners of Customs deputed for that Purpose shall be performed at such Outports by the Collector or Comptroller or other Officer of Customs deputed for that Purpose.

Inquiries and Examinations may be conducted by Commissioners, Surveyors General, and other Officers of Customs.

XXXVIII. In any of the foregoing Cases, or whenever it shall be necessary for the Commissioners of Customs or their Officers to institute any Inquiry to ascertain the Truth or Facts with respect to any Complaint or Matter relating to any Business under their Management or Control or incident thereto, or the Conduct of Officers or Persons employed therein, such Inquiries shall and may be made or conducted by the Commissioners for the Time being, or any One or more of them, or by any Surveyor General, Inspector General, Collector, or Comptroller, or other Officer of the Customs, or by such Person or Persons as the Commissioners of Customs shall direct and appoint for that Purpose; and when upon any such Inquiry Proof on Oath shall be required by the Person so conducting the same, such Person shall and may administer such Oath to any Person attending before him as aforesaid; and if any Person so examined as a Witness before such Person shall be convicted of giving false Evidence on his Examination on Oath before the Person conducting such Inquiry, every such Person so convicted shall be deemed guilty of Perjury, and shall be liable to the Pains and Penalties thereof.

Oath may be administered.

Persons convicted of making a false Oath deemed guilty of Perjury.

Power to summon Witnesses.

XXXIX. Upon any such Inquiry or Examination it shall be lawful for the Commissioners of Customs, or any One or more of them, or for any such Surveyor General, Inspector General, Collector, Comptroller, or other Officer of the Customs, or Person so authorized

or

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or directed by the Commissioners of Customs to conduct such Inquiry or Examination, to summon any Person required as a Witness to appear before the said Commissioners, Inspector General, Collector, Comptroller, Surveyor General, or other Officer, or Person authorized to conduct such Inquiry or Examination, as the Case may be, to attend on the Hearing thereof at the Time and Place to be specified in such Summons, to give Evidence upon Oath of the Truth of any Facts appertaining to such Inquiry, or any other Matter touching or relating thereto; and every Person so summoned, having his reasonable Expenses for such Attendance, if required, tendered to him at the Time of Service of such Summons, who shall neglect or refuse to appear according to the Exigency thereof, or who, having so appeared, shall refuse to take the Oath, or shall refuse to give Evidence, or to answer according to the best of his Knowledge and Belief any Question when thereunto required, shall for every such Default or Offence forfeit the Sum of Twenty Pounds.

Regulations for Conduct of Inquiries.

XL. The Commissioners of Customs shall from Time to Time make such Rules and Orders for the proper Conduct of such Inquiries as aforesaid as may be expedient, and as in their Judgment shall be necessary or proper; and such Rules and Orders shall be observed on the Conduct of such Inquiries, until annulled or varied by the Authority of the said Commissioners.

II. *Importation and Warehousing.*

As to the Importation, or Prohibition, Entry, Examination, Landing, and Warehousing of Goods:

Importation and Prohibition.

XLI. It shall be lawful to import into the United Kingdom any Goods which are not by this or any Law in force at the Time of Importation thereof prohibited to be so imported, and to warehouse under the Laws in force for the Warehousing of Goods, except as herein-after provided, in Warehouses duly approved for the Warehousing of Goods without Payment of Duty on the First Entry thereof, any Goods subject to Duties of Customs the Importation and Warehousing whereof is not prohibited by any Law in force at the Time of such Importation: Provided always, that the Duties on the following Goods, and on such other Goods as the Commissioners of the Treasury may from Time to Time direct, shall be paid on the First Importation thereof, and such Goods shall not be warehoused either for Home Consumption or Exportation; *viz.*, Corn, Grain, Meal, and Flour, and Wood Goods from *British* Possessions.

Time of Importation of Goods and Time of Arrival of Ships defined.

XLII. If, upon the first levying or repealing of any Duty, or the first permitting or prohibiting of any Importation, or at any other Time, or for any of the Purposes of this or any Act relating to the Customs, it shall become necessary to determine the precise Time at which

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which an Importation of any Goods shall be deemed to have had Effect, such Time shall be deemed to be the Time at which the Ship importing such Goods had actually come within the Limits of the Port at which such Ship shall in due Course be reported and such Goods be discharged; and if any Question shall arise upon the Arrival of any Ship in respect of any Charge or Allowance upon such Ship, exclusive of Cargo, the Time of such Arrival shall be deemed to be the Time at which the Report of such Ship shall have been or ought to have been made.

Importation direct

XLIII. No Goods shall be deemed to be imported from any particular Place unless they be imported direct from such Place, and shall have been there laden on board the importing Ship, either as the First Shipment of such Goods, or after the same shall have been actually landed at such Place.

Prohibitions and Restrictions.

XLIV. If any Goods enumerated or described in the following Table of Prohibitions and Restrictions as "Goods absolutely prohibited to be imported" shall be imported or brought into the United Kingdom, or if any Goods enumerated or described in such Table as "Goods prohibited to be imported except in Transit, and "subject to such Regulations and Restrictions as the Commissioners "of the Treasury may direct, and duly reported as Goods in Transit "accordingly," shall be imported into the United Kingdom, except in Transit, in accordance with such Regulations and Restrictions, and so reported as aforesaid, or if any Goods enumerated or described in such Table as "Goods subject to certain Restrictions on Importa-"tion" shall be imported or brought into the United Kingdom contrary to the Prohibitions or Restrictions contained in such Table in respect thereof, then and in every such Case such Goods shall be forfeited, and shall be destroyed or otherwise disposed of as the Commissioners of Customs may direct.

A TABLE OF PROHIBITIONS AND RESTRICTIONS INWARDS.

GOODS ABSOLUTELY PROHIBITED TO BE IMPORTED.

Books wherein the Copyright shall be first subsisting, first composed or written or printed, in the United Kingdom, and printed or reprinted in any other Country, as to which the Proprietor of such Copyright or his Agent shall have given to the Commissioners of Customs a Notice in Writing that such Copyright subsists, such Notice also stating when such Copyright will expire.

Coin, *viz.*—False Money or Counterfeit Sterling.

Coin, Silver, of the Realm, or any Money purporting to be such, not being of the established Standard in Weight or Fineness.

Extracts, Essences, or other Concentrations of Coffee, Chicory, Tea, or Tobacco, or any Admixture of the same.

Malt.

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Malt.

Indecent or obscene Prints, Paintings, Books, Cards, Lithographic or other Engravings, or any other indecent or obscene Articles.

Snuff Work.

Tobacco Stalks stripped from the Leaf, whether manufactured or not.

Tobacco Stalk Flour.

GOODS PROHIBITED TO BE IMPORTED EXCEPT IN TRANSIT, AND SUBJECT TO SUCH REGULATIONS AND RESTRICTIONS AS THE COMMISSIONERS OF THE TREASURY MAY DIRECT, AND DULY REPORTED AS GOODS IN TRANSIT ACCORDINGLY.

Articles of Foreign Manufacture and any Packages of such Articles bearing any Names, Brands, or Marks being or purporting to be the Names, Brands, or Marks of Manufacturers resident in the United Kingdom.

Clocks and Watches of any Metal impressed with any Mark or Stamp appearing to be or to represent any legal *British* Assay Mark or Stamp, or purporting by any Mark or Appearance to be of the Manufacture of the United Kingdom.

Parts of Articles; *viz.*, any distinct or separate Part of any Article not accompanied by the other Part or all the other Parts of such Article so as to be complete and perfect, if such Article be subject to Duty according to the Value thereof.

GOODS PROHIBITED TO BE IMPORTED, EXCEPT SUBJECT TO THE RESTRICTIONS ON IMPORTATION HEREIN CONTAINED.

Infected Cattle, Sheep, or other Animals, and Hides, Skins, Horns, Hoofs, or any other Part of Cattle or other Animals, which Her Majesty may, by Order in Council, prohibit in order to prevent any contagious Distemper.

Silk, Manufactures of Silk, being the Manufactures of *Europe*, unless into the Ports of *London*, *Liverpool*, *Hull*, *Southampton*, *Leith*, or *Dublin*, or Ports appointed by the Commissioners of Customs, or into the Ports of *Dover* or *Folkestone* direct from *Calais* or *Boulogne*, and unless in Ships of Fifty Tons Burden or upwards.

Spirits (not being perfumed or medicinal Spirits), unless in Ships of Fifty Tons Burden at least, and in Casks or other Vessels capable of containing Liquids, each of such Casks or other Vessels being of the Size or Content of Twenty Gallons at the least, and duly reported, or in Glass Bottles or Stone Bottles not exceeding the Size of Three-Pint Bottles, and being really Part of the Cargo of the importing Ship, and duly reported.

Tobacco and Snuff from the *East Indies*, and Tobacco from the *Turkish* Dominions, including *Egypt*, unless imported direct from any

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any of those Places in Packages containing not less than One hundred Pounds net Weight each.

Negrohead Tobacco, and also Snuff being the Produce of the United States of *America*, unless in Hogsheads, Casks, Chests, or Cases containing not less than Two hundred Pounds net Weight each, or unless imported direct from the said United States in Packages containing not less than One hundred and fifty Pounds net Weight each.

Tobacco from *Malta*, and Tobacco the Produce of *Porto Rico*, *Mexico*, *South America*, *St. Domingo*, *Cuba*, the *British* Possessions in *America*, and the West Coast of *Africa*, unless in Hogsheads, Casks, Chests, or Cases containing not less than Two hundred Pounds net Weight each, or unless imported direct from those Places or from the United States of *America* in Packages containing not less than Eighty Pounds net Weight each.

Tobacco and Snuff, the Produce of the *Philippine* Islands, unless in Hogsheads, Casks, Chests, or Cases containing not less than Two hundred Pounds net Weight each, or unless such Tobacco or Snuff be imported from *Manilla* direct, in Bales or Packages containing not less than Two hundred Pounds net Weight each.

Tobacco and Snuff of or from any other Country or Place not before enumerated, unless in Hogsheads, Casks, Chests, or Cases containing not less than Two hundred Pounds net Weight each.

Cigars, unless in Packages containing not less than One hundred Pounds net Weight each.

Cigarillos or Cigarettos, unless in Packages containing not less than Seventy-five Pounds net Weight each.

Tobacco, not being Cigars, Cigarillos, or Cigarettos and Snuff, separated or divided in any Manner within any Package in which the same may by the foregoing Table be imported, except Tobacco from the Dominions of the *Turkish* Empire, or from *Egypt*, in outer Packages containing not less than One hundred Pounds net Weight each.

Tobacco, Snuff, Cigars, Cigarillos, or Cigarettos of any kind, or from any Country or Place whatever, whether herein-before enumerated as especially restricted or not, unless in Ships of not less than One hundred and twenty Tons Burden, and imported into such Ports only as are or may be approved of by the Commissioners of Customs.

Arms, &c. may be prohibited.

XLV. The Importation of Arms, Ammunition, Gunpowder, or any other Goods may be prohibited by Proclamation or Order in Council.

Printed Lists of prohibited Books to be exposed at Custom Houses.

XLVI. The Commissioners of Customs shall cause to be made, and to be publicly exposed at the several Ports in the United Kingdom

dom and in Her Majesty's Possessions abroad, printed Lists of all Books wherein the Copyright shall be subsisting, and as to which the Proprietor of such Copyright, or his Agent, shall have given Notice in Writing to the said Commissioners that such Copyright exists, stating in such Notice when such Copyright expires.

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XLVII. If any Ship coming into the United Kingdom or into the Channel Islands shall not come as quickly up to the proper Place of mooring or unlading as the Nature of the Port will admit, without touching at any other Place, and in proceeding to such proper Place shall not bring to at the Stations appointed by the Commissioners of Customs for the boarding of Ships by the Officers of the Customs, or if after Arrival at such Place such Ship shall remove from such Place, except directly to some other proper Place of mooring or unlading, and with the Knowledge of the proper Officer of the Customs, or if the Master of any Ship on board of which any Officer is stationed neglect or refuse to provide every such Officer sufficient Room under the Deck in some Part of the Forecastle or Steerage for his Bed or Hammock, the Master of such Vessel shall forfeit the Sum of Twenty Pounds.

Vessels Inwards. Ship to come quickly to Place of unlading, and bring to at the Stations for boarding Officers.

Accommodation of Officers on board.

Penalty 20*l.*

XLVIII. The proper Officers of the Customs may board any Ship arriving at any Port in the United Kingdom or the Channel Islands, and freely stay on board until all the Goods laden therein shall be duly delivered from the same, and shall have free Access to every Part of the Ship, with Power to fasten down Hatchways or Entrances to the Hold, and to mark any Goods before landing, and to lock up, seal, mark, or otherwise secure any Goods on board such Ship; and if any Place or any Box or Chest be locked, and the Keys be withheld, such Officers, if they be of a Degree superior to that of Tidewaiter, may open any such Place, Box, or Chest in the best Manner in their Power, and if they be Tidewaiters, or only of that Degree, they shall send for their Superior Officer, who may open or cause to be opened any such Place, Box, or Chest in the best Manner in his Power; and if any Goods be found concealed on board any such Ship they shall be forfeited; and if the Officers shall place any Lock, Mark, or Seal upon any Goods on board, and such Lock, Mark, or Seal be wilfully opened, altered, or broken before due Delivery of such Goods, or if any of such Goods be secretly conveyed away, or if the Hatchways or Entrances to the Hold, after having been fastened down by the Officer, be opened, the Master of such Ship shall forfeit the Sum of One hundred Pounds; and if the proper Officer of the Customs shall place any Lock, Mark, or Seal upon any Stores on board any Ship or Vessel arriving in the United Kingdom, and such Lock, Mark, or Seal be wilfully opened, altered, or

Officers to board Ships.

To have free Access to all Parts.

May seal or secure Goods and open Locks.

Goods concealed forfeited.

If Seal, &c. broken, Master to forfeit 100*l.*

Officers may put Seals upon Stores Inwards.

If such Seals be broken, or the Stores secretly con-

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veyed away, Master to forfeit 20*l.*

or broken, or if any such Stores be secretly conveyed away, either while the Ship remains in the Port at which she shall have so arrived, or before she shall have arrived at any other Port in the United Kingdom to which she may then be about to proceed, the Master of such Ship shall forfeit the Sum of Twenty Pounds.

Time and Place of landing Goods Inwards.

XLIX. No Goods, except Diamonds, Bullion, Lobsters, and fresh Fish of *British*-taking and imported in *British* Ships, which may be landed without Report or Entry, shall be unshipped from any Ship arriving from Parts beyond the Seas, or be landed or put on shore, on *Sundays* or Holidays, nor shall they be so unshipped, landed, or put on shore on any other Days, except between the Hours of Eight o'Clock in the Morning and Four o'Clock in the Afternoon from the First Day of *March* until the First Day of *November*, and between the Hours of Nine o'Clock in the Morning and Four o'Clock in the Afternoon from the First Day of *November* until the First Day of *March*, or during such other Hours as may be appointed by the Commissioners of Customs; nor shall any Goods be unshipped or landed unless in the Presence or with the Authority of the proper Officer of the Customs, nor shall they be so landed except at some legal Quay, Wharf, or other Place duly appointed for the landing of Goods, nor shall any such Goods after having been unshipped, or put into any Boat or Craft to be landed, be transhipped or removed into any other Boat or Craft previously to their being landed without the Permission of the proper Officer of the Customs; and if any such Goods shall be unshipped, landed, transhipped, or removed contrary hereto the same shall be forfeited, and if any Goods shall be unshipped or removed from any importing Ship for the Purpose of being landed after due Entry thereof, such Goods shall be forthwith removed to and landed at the Wharf, Quay, or other Place at which the same are intended to be landed; and if such Goods are not so removed and landed the same shall be forfeited, together with the Barge, Lighter, Boat, or other Vessel employed in removing the same.

Goods unshipped contrary to Regulations forfeited

Goods not forthwith removed and landed, forfeited.

Report, &c.

As to the Report of the Cargo of Merchant Ships, and of Ships in Commission bringing Merchandise from Parts beyond the Seas:

Master to report within Twenty-four Hours after Arrival.

L. The Master of every Ship, whether laden or in Ballast, shall within Twenty-four Hours after Arrival from Parts beyond the Seas at any Port in the United Kingdom, and before Bulk be broken, make due Report of such Ship in the Form following or to the same Effect, and containing the several Particulars indicated or required thereby; and if the Cargo of such Ship shall have been laden at several Places shall state the Names of those Places in Column 1. in the Order of Time in which the same were laden opposite to the Particulars of the Goods so laden.

REPORT.

Customs Consolidation Act.

Importation and Warehousing.

Port of REPORT.

Form of Report.

Particulars relating to Ship.

Ship's Name.	Tonnage.	British or Foreign; if British, Port of Registry; if Foreign, Country to which she belongs.	Number of Crew.		Name of Master, and whether a British or Foreign Subject.	Port or Place from whence arrived.
			British Seamen.	Foreign Seamen.		
Here state the Particulars according to the above Headings.						
			Total			

CARGO.

Particulars of Cargo (if any).

1.	2.	3.	4.	5.	6.	7.
Name or Names of Places where laden in order of Time.	Marks.	Nos.	Packages and Descriptions of Goods, Particulars of Goods stowed loose, and General Denomination of Contents of each Package of Tobacco, Cigars, or Snuff intended to be imported at this Port.	Name of Consignee.	Particulars of Packages and Goods (if any) for any other Port in the United Kingdom.	Goods (if any) to be transhipped or to remain on board for Exportation.
Here state the Particulars according to the above Headings, or if in Ballast, state "in Ballast only."						

If "in Ballast" to be so stated.

STORES.

Particulars of Stores, &c.

Surplus Stores remaining on board, viz.

Number of Alien Passengers (if any) -
Pilots Names - - - -
At what Station Ship lying - -
Agent's Name and Address - - -

Declaration of Master.

I declare that the Entry above written is a just Report of my Ship and of her Lading, and that the Particulars therein inserted are true to the best of my Knowledge, and that I have not broken Bulk or delivered any Goods out of my said Ship since her Departure from , the last Foreign Place of Loading, (*except, if so, at stating where.*)

(Signed)

Signed and declared this Day of *Master.*

In Presence of

(Countersigned)

Collr. or Contr.

On Failure Master to forfeit 100*l.*

LI. If such Master shall wilfully fail to make such Report according to the Particulars herein-before set forth, so far as the same are applicable to such Ship, Cargo, and Voyage, or if the Particulars or any of them contained in such Report be false, such Master shall forfeit the Sum of One hundred Pounds.

LII. The

Importation and Warehousing.

Commissioned Ships, British or Foreign, having Goods on board, Person in charge to deliver an Account, or forfeit 100*l.*

LII. The Captain, Master, Purser, or other Person having the Charge of any Ship (having Commission from Her Majesty, or from any Foreign State) having on board any Goods laden in Parts beyond the Seas shall on Arrival at any Port in the United Kingdom, and before any Part of such Goods be taken out of such Ship, or when called upon so to do by any Officer of the Customs, deliver an Account in Writing under his Hand to the best of his Knowledge of the Quality and Quantity of every Package or Parcel of such Goods, and of the Marks and Numbers thereon, and of the Names of the respective Shippers and Consignees of the same, and shall make and subscribe a Declaration at the Foot of such Account declaring to the Truth thereof, and shall also truly answer to the Collector or Comptroller such Questions concerning such Goods as shall be required of him, and on Failure thereof such Captain, Master, Purser, or other Person shall forfeit the Sum of One hundred Pounds; and all such Ships shall be liable to such Searches as Merchant Ships are liable to, and the Officers of the Customs may freely enter and go on board all such Ships, and bring from thence on shore into the Queen's Warehouse any Goods found on board any such Ship as aforesaid, subject nevertheless to such Regulations in respect of Ships of War belonging to Her Majesty as shall from Time to Time be directed in that respect by the Commissioners of Her Majesty's Treasury.

Such Ships liable to search.

Master to deliver Bills of Lading and answer Questions.

LIII. The Master of every Ship arriving from Parts beyond the Seas shall at the Time of making such Report deliver to the Collector or Comptroller, if required, the Bill of Lading, or a Copy thereof, for every Part of the Cargo laden on board, and shall answer all such Questions relating to the Ship, Cargo, Crew, and Voyage as shall be put to him by such Collector or Comptroller; and in case of Failure or Refusal to answer such Questions or answer truly, or to produce any such Bill of Lading or Copy, or if any such Bill of Lading or Copy shall be false, or if any Bill of Lading be uttered or produced by any Master, and the Goods expressed therein shall not have been *bonâ fide* shipped on board such Ship, or if any Bill of Lading uttered or produced by any Master shall not have been signed by him, or any such Copy shall not have been received or made by him, previously to his leaving the Place where the Goods expressed in such Bill of Lading or Copy were shipped, or if after the Arrival of any Ship within Four Leagues of the Coast of the United Kingdom Bulk shall be broken, or any Alteration made in the Stowage of the Cargo of such Ship so as to facilitate the unlading of any Part of such Cargo, or if any Part be staved, destroyed, or thrown overboard, or any Package be opened, unless accounted for to the Satisfaction of the Commissioners of Customs, in every such Case such Master shall forfeit the Sum of One hundred Pounds.

Bulk not to be broken or Stowage altered.

Penalty 100*l.*

LIV. If

Importation and Warehousing.

LIV. If the Contents of any Package intended for Exportation in the same Ship shall be reported by the Master as being unknown to him, the Officers of the Customs may open and examine such Package on board, or bring the same to the Queen's Warehouse for that Purpose, and if there be found in such Package any Goods which are prohibited to be imported such Goods shall be forfeited, unless the Commissioners of Customs shall permit them to be exported.

Packages reported "Contents unknown" may be opened and examined.

Prohibited Goods forfeited.

Entry of dutiable Goods.

As to the Entry of dutiable Goods to be delivered for Home Consumption on the landing thereof from the importing Ship:

Entry for Home Consumption.

LV. The Importer of any Goods liable to Duties of Customs and intended to be delivered for Home Use on the landing thereof from the importing Ship, or his Agent, shall, before Unshipment thereof, make perfect Entry of such Goods by delivering to the Collector or Comptroller a Bill of Entry thereof in the Form following or to the same Effect, and containing the several Particulars indicated in or required thereby:

Form of Entry for Payment of Duty on Goods at landing.

ENTRY.

Port of (*Name of Port of Importation*).

Whether Prime or Post, and if Post, Date of Prime Entry _____

Importer's Name _____

Wharf, Dock, or Station.	Ship's Name.	Whether British or Foreign Ship; if Foreign, the Country.	Master's Name.	Port or Place from whence imported.
	Here state the Particulars according to the above Headings.			

Marks.	Numbers.	Number of Packages, Quantities, and Descriptions of Goods as charged in Table of Duties.	If charged at value, Value to be stated in Words at Length.
	Here state the Particulars according to the above Headings.		

£ s. d.

Total Amount of Duty payable on this Entry - - }

Dated this Day of 18 .

(Signed)

Importer or Agent.

Declaration of Importer or Agent.

I (*Name of Importer or Agent*), of (*Place of Abode*) do hereby declare that I am (*the Importer or Agent duly authorized by the Importer*) of the Goods contained in this Bill of Entry, and that I enter the same Goods, therein stated as Goods charged at Value, at the Sum of (*Money in Words at Length*).

Witness my Hand the Day of 18 .

(Signed) _____

Importer or Agent.

Importation and Warehousing.

Particulars in Entry to correspond with Report.

And the Particulars in such Entry shall correspond with the Particulars given of the same Goods and Packages in the Report of the Ship, and in any Certificate of Origin or other Document, where any such is required, by which the Importation or Entry of such Goods is authorized, or upon which the Importer is entitled to any Benefit by the Distinction thereof, or otherwise, and whenever the Value of any Goods is required to be stated in the Entry, the Importer or his Agent shall subscribe a Declaration of the Truth of such Value in the Form set forth at the Foot of such Entry.

Payment of Duties.

Warrant for Delivery.

LVI. The Importer or his Agent shall immediately upon the Entry of any Goods entered by him to be delivered for Home Use pay down any Duties which may be payable upon the Goods mentioned in such Bill of Entry, if in *London* to the Receiver General, and if at any of the Outports to the Collector or other Person authorized by the Commissioners of Customs to receive the same; and such Bill of Entry, when signed by the Collector or other such Person, shall be transmitted to the Landing Waiter, and be his Warrant for the landing and Delivery of such Goods.

Detention of Goods for under Value.

Service of Notice in case of.

In case of Sale of Goods how Proceeds to be applied.

LVII. If upon the Examination of any Goods entered for Duty which are chargeable with Duty upon the Value thereof it shall appear to the Officers of Customs that such Goods are not valued according to the true Value thereof, or that they are properly chargeable with a higher Rate or Amount of Duty than that to which they would be subject according to the Value thereof as described in the Entry, it shall be lawful for such Officers to detain the same, in which Case they shall forthwith give Notice in Writing to the Person entering the same of the Detention of such Goods, and of the Value thereof as estimated by them, either by delivering such Notice personally or by transmitting the same by Post to such Person, addressed to him at his Place of Abode as stated in his Entry; and the Commissioners of Customs shall, within Seven Days after the Detention of such Goods, determine either to deliver such Goods on the Entry of such Person, or to retain the same for the Use of the Crown, in which latter Case they shall cause the Value at which the Goods were so entered, together with an Addition of Five *per Cent.* and the Duties already paid on such Entry, to be paid to the Person entering the same in full Satisfaction for such Goods, or may permit such Person on his Application for that Purpose to amend such Entry at such Value and on such Terms as they may direct; and if the Commissioners shall retain such Goods they shall and may dispose of them for the Benefit of the Crown, and if the Proceeds arising therefrom in case of Sale shall exceed the Sums so paid and all Charges incurred by the Crown,

One

One Moiety of such Surplus shall be paid to a separate Fund at the Disposal of the Commissioners of Customs, and be distributed by them at such Periods and in such Proportions to or amongst such meritorious Officers as the Commissioners of Customs shall select as most deserving, and the other Moiety shall be accounted for, paid, and carried to account as Duties of Customs under the Direction of the Commissioners of Customs.

Importation and Warehousing.

As to the Entry of Goods intended to be warehoused without Payment of Duty on First Entry thereof:

LVIII. The Importer of any Goods intended to be warehoused without Payment of Duty on the First Entry thereof, or his Agent, shall deliver to the Collector or Comptroller a Bill of Entry of such Goods in the same Manner and Form and containing the same Particulars as are herein-before required on the Entry of Goods to be delivered for Home Use on the landing thereof as far as the same shall be applicable, and the Name and Description of the Warehouse in which such Goods are intended to be warehoused, and the Name of the Person in whose Name they are to be so warehoused; and such Bill of Entry, when signed by the Collector or Comptroller, shall be transmitted to the proper Officer of Customs, and be the Warrant for the due warehousing of such Goods.

Entry for the Warehouse.

Particulars of Entry.

Warrant for warehousing.

LIX. If after any Goods shall have been duly entered and landed to be warehoused, though not actually deposited in the Warehouse, the Importer shall further duly enter the same, or any Part thereof, for Home Use or for Exportation, the same may be delivered and taken for Home Use or Exportation, as the Case may be.

Goods entered for Warehouse may upon further Entry be delivered for Home Use or Exportation.

As to the Entry of Goods free of Duty:

Entry of free Goods.

LX. The Importer of any Goods not subject to Duties of Customs, or his Agent, shall deliver to the Collector or Comptroller a Bill of Entry of such Goods in the same Manner and Form and containing the same Particulars as herein-before required on the Entry of dutiable Goods, so far as the same is applicable, which Entry, so far as regards the Goods, shall be a Transcript of the Report, and shall therein describe such Goods according to the Terms upon which such Goods are free of Duty, and the Value of such Goods as shall have been previously chargeable with Duty at Value; and such Bill of Entry, when signed by the Collector or Comptroller, shall be transmitted to the proper Officer, and be his Warrant for the Delivery of the Goods mentioned therein; and the Importer, Owner, or Consignee of such Goods, or his Agent, shall, within Fourteen Days after the Entry and landing thereof, deliver to the Collector, Comptroller, or other proper Officer of Customs a full and true Account

Particulars of Entry.

Warrant for Delivery.

Account of free Goods.

Importation and Warehousing.

Account of the Goods so landed; provided, that at *Liverpool*, and with the Sanction of the Commissioners of Customs at any other Port where the Docks, Quays, and Wharfs shall in like Manner be wholly or principally under the Control and Management of one and the same Corporate Body, the Owner, Master, or Consignee of the importing Ship, or his Agent, shall sign and leave with the Collector of the Customs, within Fourteen Days next after the final Discharge of such Goods, a full and accurate List thereof, stating the Quantities and distinguishing the Weight and Contents by Measurement of such Goods, if any, comprised therein, as shall be chargeable by Weight or by Measurement for the Freight payable thereon, and the Names of the Consignees (according to the Bills of Lading), or the Names of the Persons actually paying the Freight for the same; and on Failure to leave such List, such Owner, Master, Consignee, or Agent shall forfeit the Sum of Twenty Pounds.

Entry by Bill of Sight.

As to the Entry of Goods landed for Examination by Bill of Sight and perfecting Entry thereof:

Entry by Bill of Sight when Goods not known.

LXI. The Importer of any Goods or his Agent, if unable for Want of full Information to make a perfect Entry of such Goods, on making and subscribing a Declaration to that Effect before the Collector or Comptroller, may make an Entry by Bill of Sight for the Packages or Parcels of such Goods in the Form following, or to the same Effect, and containing the several Particulars indicated or required thereby:

BILL OF SIGHT.

Form of Entry by Bill of Sight.

Port of [*Name of Port of Importation*].

Importer [*Name of Importer*].

Wharf, Dock, or Station.	Ship's Name.	Whether British or Foreign; if Foreign, the Country.	Master's Name.	Port or Place from whence imported.	Name of Importer or of his Agent.

Here state the Particulars according to the above Headings.

Marks.	Numbers.	Number of Packages, with the best Description of the Goods the Importer is able to give.

Here state the Particulars according to the above Headings.

I, the Importer (*or* Agent to the Importer) of the Goods above mentioned, do hereby declare that I have not (*if Importer*), or that to the best of my Knowledge he has not (*if Agent*), received sufficient Invoice Bill of Lading, or other Advice from whence the Quality, Quantity, or Value of the Goods above mentioned can be ascertained. Dated this Day of 18

(Signed)

Importer, or his Agent.

(Signed)

Coll. or Comptr. _____

LXII. Such Entry being delivered to the Collector or Comptroller, and signed by him, shall be the Warrant for provisionally landing such Goods to be examined by such Importer in presence of the proper Officers, and the Importer shall within Three Days after the Landing thereof, and before the same shall be delivered, make full and perfect Entry thereof by endorsing upon such Bill of Sight such Particulars

Warrant for anding.

Before Delivery Importer to make perfect Entry.

Importation and Warehousing.

Particulars of such Goods as are herein-before required on making perfect Entry of Goods, whether for Payment of Duty, or for warehousing, or for Delivery free of Duty, as the Case may be, and to such Endorsement he shall affix the Date thereof, together with his Signature and Place of Abode, and such Endorsement, when signed by the Collector or Comptroller, shall be taken as the perfect Entry for such Goods.

Goods entered by Bill of Sight not to be delivered, unless Duty is paid or deposited.

LXIII. Where an Entry for the Landing and Examination of Goods for Delivery on Payment of Duty shall be made by Bill of Sight, such Goods shall not be delivered until perfect Entry thereof shall have been made and the Duties due thereon paid, unless the Importer or his Agent shall have deposited with the proper Officer of the Customs a Sum of Money sufficient in Amount to cover the Duties payable thereon; and if the Sum deposited on a Bill of Sight shall not be equal in Amount to the Duties payable upon all the Goods contained in any single Package landed or examined thereby, no Part shall be delivered until a perfect Entry or Entries is or are made, and the Duties paid or deposited for the whole of the Goods contained in such Package.

Goods to be taken to Queen's Warehouse in default of perfect Entry within Three Days and sold in default of such Entry within One Month after Landing.

LXIV. If full and perfect Entry of any Goods landed by Bill of Sight as aforesaid be not made within Three Days after the Landing thereof, such Goods shall be taken to the Queen's Warehouse by the Officers of the Customs; and if the Importer shall not within One Month after such Landing make perfect Entry or Entries of such Goods, and pay the Duties thereon or on such Parts as can be entered for Home Use, together with the Charges of Removal and of Warehouse Rent, such Goods shall be sold for the Payment of such Duties and Charges, (or for Exportation if they be such as cannot be entered for Home Use or shall not be worth the Duties,) and the Overplus, if any, after Payment of such Duties and Charges, or the Charges if sold for Exportation, shall be paid to the Importer or Proprietor thereof: Provided always, that when Entry be at any Time made as and for a full and perfect Entry for any Goods provisionally landed by Bill of Sight or deposited in the Queen's Warehouse, as aforesaid, if such Entry shall not be made in manner herein required for the due Landing of the Goods, the same shall be deemed to be Goods landed without Entry, and shall be forfeited.

If Entry not in manner required by Law, Goods forfeited.

As to the Entry of Goods re-imported into the United Kingdom as Foreign or by Bill of Store:

Re-importation of British Goods.

LXV. All *British* Goods re-imported into the United Kingdom shall be deemed and taken to be and be entered as Foreign, and shall be liable to the same Duties, Rules, Regulations, and Restrictions as such

Importation and Warehousing.

such Goods, if Foreign, would be liable to on the First Importation thereof, unless the same shall be re-imported within Ten Years after the Exportation thereof, and it shall be proved to the Satisfaction of the Commissioners of Customs that the Property in such Goods has continued and still remains in the Person by whom or on whose Account the same have been exported, in which Case the same may be entered as *British* Goods, by Bill of Store containing such Particulars and in such Form and Manner as the said Commissioners may direct: Provided always, that the following Goods shall, on Re-importation be deemed and taken to be Foreign Goods, namely, Corn, Grain, Meal, Flour, and Hops, and also all Goods for which any Drawback of Excise shall have been received on Exportation, unless by special Permission of the Commissioners of Customs, and on Repayment of such Drawback, and also all Goods for which a Bill of Store cannot be issued in manner directed by the said Commissioners, except Remnants of *British* Goods, with Permission of the Commissioners of Customs.

Entry by Bill of Store.

Exceptions.

Entries generally.

As to Entries of Goods in any of the foregoing Cases:

Bill of Entry to be in duplicate.

LXVI. Upon the Entry of any Goods, the Importer, his Agent, or the Consignee of the Ship, as the Case may be, shall deliver Two or more Duplicates of the Bill of Entry thereof, as the Case may require, in which Duplicates all Sums and Numbers may be expressed in Figures; and the Number of Duplicates shall be such as the Collector or Comptroller may require.

Importer or Agent failing to comply with Regulations to forfeit 20*l.*

LXVII. Every Importer, Agent, or other Person entering any Goods who shall wilfully fail to comply with the foregoing Regulations, so far as they are respectively applicable to the Goods so entered by him, shall forfeit and pay the Sum of Twenty Pounds.

No Entry or Warrant valid unless Goods properly described therein.

LXVIII. No Entry or Warrant for the landing of any Goods shall be deemed valid unless the Goods shall have been properly described in such Entry by the Denominations and with the Characters and Circumstances according to which such Goods are charged with Duty or may be imported, either to be used in the United Kingdom, or to be warehoused for Exportation only.

Goods concealed in Packages or delivered without Entry forfeited.

LXIX. If any Package or Parcel shall have been landed by or in pursuance of any Entry, and any Goods or other Things shall be found in such Package or Parcel concealed in any way or packed to deceive the Officers, such Package or Parcel and all the Contents thereof shall be forfeited; and if any Goods be taken or delivered out of any Ship or out of any Warehouse, not having been duly entered, the same shall be forfeited: Provided always, that no Entry shall be required

Passengers Baggage.

Importation and Warehousing.

required in respect of the Baggage of Passengers, which may be examined, landed, and delivered under such Regulations as the Commissioners of Customs may direct, but if any prohibited or uncustomed Goods shall be found concealed therein either before or after landing, the same shall be forfeited, together with the other Contents of the Package containing the same.

Surplus Stores not excessive may be entered for private Use or Warehouse.

LXX. The proper Officer may permit any surplus Stores, not being Merchandise, nor by him deemed excessive, to be entered for private Use under and subject to the same Duties, Rules, and Regulations as the like Sort of Goods would be subject to on Importation as Merchandise, or permit the Master, Owner, Purser, or other Officer of any Ship, or any Passenger of such Ship, to whom any surplus Stores belong, to enter and warehouse such surplus Stores for future Use as Ship's Stores, although the same could not be legally imported by way of Merchandise.

Entry of Goods by Agents without Licence or by unauthorised Persons not permitted.

Penalty 20*l.*

Not to extend to Persons acting by proper Authority.

LXXI. If at any Port where Persons acting as Agents for transacting any Business relating to the Clearance of any Ship or Goods or Baggage shall be required to be licensed, any Person not so licensed, or not being the duly appointed Clerk to any Person so licensed, shall act as such Agent or Clerk, or if any Person, whether so licensed or appointed or not, shall make or cause to be made Entry of any Goods without being duly authorized for that Purpose by the Proprietor or Consignee of such Goods, every such Person shall for every such Offence forfeit the Sum of Twenty Pounds; but no such Penalty shall extend to any Person acting under the Directions of the several Dock Companies, or to any Person otherwise authorized by Law to pass Entries, nor to any Merchant, Importer, or Consignee of any Goods, acting himself in respect thereof, or any Clerk or Servant exclusively employed by him or by any such Persons in Copartnership.

Agent to produce Authority if required.

LXXII. Whenever any Person shall make Application to any Officer of the Customs to transact any Business on behalf of any other Person, such Officer may require of the Person so applying to produce a written Authority from the Person on whose Behalf such Application shall be made, and in default of the Production of such Authority refuse to transact such Business.

Officers may take Samples.

LXXIII. The Officers of Customs may on the Entry of any Goods, or at any Time afterwards, take Samples of such Goods for Examination, or for ascertaining the Duties payable on such Goods, or for such other Purpose as the Commissioners of Customs may deem necessary, and such Samples shall be disposed of and accounted for in such Manner as the Commissioners of Customs may direct.

As

As to the Time within which Goods shall be entered and landed after the Arrival of the importing Ship:

Entry, Time for

LXXIV. If the Importer of any Goods shall not, within Fourteen Days (exclusive of *Sundays* and Holidays), after the Arrival of the Ship importing the same, make perfect Entry or Entry by Bill of Sight of such Goods, or if, having made such Entry, he shall not land such Goods within such Fourteen Days, or within such further Period as the Commissioners of Customs shall direct, the Officers of the Customs may convey such Goods to the Queen's Warehouse; and whenever the Cargo of any Ship shall have been discharged within such Fourteen Days, with the Exception only of a small Quantity of Goods, the Officers of the Customs may forthwith convey such remaining Goods to the Queen's Warehouse; and also at any Time after the Arrival of such Ship may convey any small Packages or Parcels of Goods therein to the Queen's Warehouse, there to remain for due Entry during the Remainder of such Fourteen Days; and if the Duties due upon any Goods so conveyed to the Queen's Warehouse shall not be paid within Three Months afterwards, or within such further Period as the said Commissioners may direct, together with all Charges of Removal and Warehouse Rent, such Goods may be sold, and the Produce thereof applied, first to the Payment of Freight and Charges, next of Duties, and the Overplus, if any, shall be paid to the Proprietor of the Goods on his Application for the same; but if such Goods or any of them shall be of a perishable Nature, the Commissioners of Customs may forthwith direct Sale thereof, and apply the Proceeds in like Manner: Provided always, that for this Purpose, if the importing Ship and Goods be liable to the Performance of Quarantine, the Time for Entry and Landing of such Goods shall be computed from the Time at which such Ship and Goods shall have been released from Quarantine: Provided always, that if Forty-eight Hours or any earlier Period after the Report of any Ship is specified in the Bills of Lading for the Discharge of her Cargo or any Part thereof, and the Importer, Owner, or Consignee of such Goods, or his Agent shall neglect to enter and land the same within such Forty-eight Hours at any Port or Place approved by the Commissioners of Customs, the Master or Owner of such Ship may immediately, on the Expiration of such Forty-eight Hours, enter and land such Goods.

Goods not entered within Fourteen Days may be conveyed to Queen's Warehouse.

Small Packages or Quantities of Goods may be conveyed to Queen's Warehouse.

If Duties and Charges on such Goods be not paid within Three Months, the Goods may be sold.

LXXV. Whenever any Goods shall remain on board any importing Ship beyond the Period of Fourteen Days after the Arrival of such Ship, or beyond such further Period as the Commissioners of Customs may allow, such Ship shall be detained by the proper Officer of Customs until all Expenses of watching or guarding such Goods beyond such Fourteen Days, or such further Time, if any allowed as aforesaid,

If Goods remain on board importing Ship beyond Fourteen Days, such Ship may be detained for Expenses.

Importation and Warehousing.

aforesaid, not exceeding Five Shillings *per Diem*, and of removing the Goods, or any of them, to the Queen's Warehouse in case the Officers shall so remove them, be paid.

Abatement for Damage.

As to Goods upon which any Abatement for Damage on the Voyage or by Wreck may be claimed:

Abatement of Duty on damaged Goods.

LXXVI. No Claim for any Abatement of Duty in respect of any Goods imported into the United Kingdom shall be allowed on account of Damage, unless such Claim shall be made on the First Examination thereof, and in such Form and Manner as the Commissioners of Customs shall direct, nor unless it shall be proved to the Satisfaction of the Commissioners of Customs or their Officers that such Damage was sustained after such Goods had been shipped in the importing Ship and before the landing thereof in the United Kingdom; and all Goods derelict, jetsam, flotsam, and wreck brought or coming into the United Kingdom, and all Droits of Admiralty sold in the United Kingdom, shall at all Times be subject to the same Duties as Goods of the like Kind on Importation into the same Part of the United Kingdom are subject to, unless it shall be shown to the Satisfaction of the Commissioners of Customs that such Goods are the Growth, Produce, or Manufacture of any Country or Place by virtue whereof the same may be entitled to be admitted at less than the Foreign Duty, or Duty-free, or that the same, if liable to Duty, are entitled to an Abatement in respect of such Damage; and the Damage sustained by such Goods, whether so imported or derelict, jetsam, flotsam, or wreck as aforesaid, shall be assessed by the Officers of the Customs, if competent thereto, but if not, or if the Commissioners of Customs or the Collector or Comptroller of the Port into which the same shall be imported or brought as aforesaid shall entertain any Doubt as to the Amount of such Damage, they may call upon Two indifferent Merchants to examine the Goods and certify to what Extent in their Judgment the same are lessened in Value by such Damage, whereupon the Officers of the Customs may make an Abatement not exceeding Three Fourths of the Duty originally chargeable thereon, but no Allowance shall be made for Damage on Coculus Indicus, Nux Vomica, Rice, Guinea Grains, Lemons, Spirits, Corn, Grain, Meal and Flour, Opium, Sugar, Cocoa, Oranges, Tea, Coffee, Pepper, Tobacco, Currants, Raisins, Wine, and Figs.

Proof required.

Goods derelict, &c., and Droits of Admiralty to be treated as Foreign Goods.

Exceptions.

Damage to be assessed by competent Persons.

Abatement not to exceed Three Fourths of Duty, and not to apply to certain Goods.

Production of Certificates.

As to the Production of Certificates of Origin in respect of Goods claiming any Benefit thereby on Importation:

Goods from Possessions abroad.

LXXVII. No Goods shall be entered as being of or from any *British* Possessions abroad, (if any Benefit attach to such Distinction,) except the Territories subject to the Government of the

the Presidencies of *Bengal*, *Madras*, and *Bombay* respectively, unless the Master of the Ship importing the same shall have delivered to the Collector or Comptroller a Certificate, under the Hand of the proper Officer of the Place where such Goods were taken on board, of the due Clearance of such Ship from thence, containing an Account of such Goods.

Importation and Warehousing.

Master to deliver Certificate

LXXVIII. The Commissioners of the Treasury may by Order under their Hands declare that a Certificate of Production shall be required upon the Exportation of any Goods from any *British* Possession abroad or other Place, or upon the Importation of such Goods into the United Kingdom, and frame such Regulations respecting such Certificates and Goods as they may think fit; and if any Goods in respect of which such Certificates are required be imported without such Certificate they shall be deemed to be Foreign Goods and liable to any Duty attaching to them as such; and such Orders of the Treasury shall be published in the *London* and *Dublin* Gazettes Three Times at least within Three Months from the Date thereof respectively.

Power to the Lords of the Treasury to require Certificates of Production.

LXXIX. Before any Spirits or Sugar, so long as any Benefit shall attach to the Distinction, shall be entered as being of the Produce of any *British* Possession in *America* or the Island of *Mauritius*, the Master of the Ship importing the same shall deliver to the Collector or Comptroller a Certificate, under the Hand of the proper Officer of the Place where such Goods were taken on board, testifying that Proof had been made in manner required by Law that such Goods are of the Produce of some *British* Possession in *America* or of the Island of *Mauritius*, stating the Name of the Place where such Goods were produced, and the Quantity and Quality of the Goods, and the Number and Denomination of the Packages containing the same, and the Name of the Ship in which they are laden and of the Master thereof.

Certificate of Growth of Sugar and Spirits from British Possessions in America and the Mauritius.

LXXX. Before any Sugar shall be entered as being the Produce of any *British* Possession within the Limits of the *East India* Company's Charter, the Master of the Ship importing the same shall, so long as any Benefit attach to such Distinction, deliver to the Collector or Comptroller a Certificate under the Hand and Seal of the proper Officer at the Place where such Sugar was taken on board, testifying that a Declaration in Writing, the Contents of which he believed to be true, had been made and signed before him by the Shipper of such Sugar, that the same was really and *bonâ fide* the Produce of the *British* Possession.

Certificate of Sugar from Limits of East India Company's Charter.

LXXXI. If

Importation and Warehousing.

East India Sugar warehoused at the Cape of Good Hope and imported from thence.

LXXXI. If any Sugar, the Produce of any *British* Possession within the Limits of the *East India* Company's Charter, so long as any Benefit attaches to such Distinction, shall have been imported into the *Cape of Good Hope* from the Place of its Production, accompanied by such a Certificate of Origin as would be sufficient for its Admission into the United Kingdom at the Rate of Duty payable upon such Sugar, if imported direct from the Place of its Production, and shall have been warehoused at the *Cape of Good Hope* under the Regulations there in force for the Warehousing of Goods, and shall have been exported from such Warehouse, accompanied by a Certificate from the proper Officer of Customs at the *Cape of Good Hope*, setting forth the Particulars of the Importation, and of the Warehousing, and of the Exportation of the same, and also setting forth the Substance of the Certificate of Origin before mentioned, and if on the Arrival in the United Kingdom of the Ship importing such Sugar, the Master of such Ship shall deliver to the Collector or Comptroller at the Port of Importation such Certificate from the Officer of the Customs at the *Cape of Good Hope*, such Sugar shall be admitted at such Port of Importation in the United Kingdom at the same Rate of Duty as would be payable if the same had been imported direct from the Place of its Production.

Goods of Guernsey, Jersey, &c.

Duty-free.

With Exceptions.

LXXXII. Any Goods of the Growth of the Channel Islands, and any Goods manufactured in the said Islands from Materials of the Growth of the said Islands, or from Materials not subject to Duty in the United Kingdom, or from Materials upon which the Duty has been paid in the United Kingdom, and upon which no Drawback has subsequently been granted, may be imported into the United Kingdom from the said Islands respectively without Payment of any Duty, and such Goods shall not be deemed to be included in any Charge of Duties imposed by any Act on the Importation of Goods generally from Parts beyond the Seas; but such Goods shall be charged with any Proportion of such Duties as shall fairly countervail any Duties of Excise payable on the like Goods the Produce or Manufacture of the Part of the United Kingdom into which they shall be imported, or payable upon any of the Materials from which such Goods are manufactured; and all Goods manufactured in any of the said Islands from any other Materials than the Materials aforesaid shall be declared and taken to be Foreign Goods.

Master to deliver Certificate of Produce.

LXXXIII. Before any Goods shall be entered as being the Produce of the said Islands, (if any Benefit attach to such Distinction,) the Master of the Ship importing the same shall deliver to the Collector or Comptroller of Customs a Certificate from the Governor, Lieutenant-Governor, or Commander-in-Chief of the Island from whence

whence such Goods were imported, that Proof had been made in manner required by Law that such Goods were of the Produce of such Island, stating the Quantity and Quality of the Goods, and the Number and Denomination of the Packages containing the same.

Importation and Warehousing.

LXXXIV. Before any Wine shall be entered as being the Produce of any of the *British* Possessions abroad, the Master of the Ship importing the same shall deliver to the Collector or Comptroller a Certificate under the Hand of the proper Officer of such Possession, testifying that Proof had been made in manner required by Law that such Wine is the Produce of such Possession, stating the Quantity and Sort of such Wine, and the Number and Denomination of the Packages containing the same.

Inwards Entry. Certificate of Wine from British Possessions.

As to the Unshipping, Landing, Examination, Warehousing, and Custody of Goods:

Unshipping, Landing, and Examination.

LXXXV. The unshipping, carrying, and landing of all Goods, and bringing them to the proper Place for Examination, and weighing, putting them into the Scales, opening, unpacking, repacking, bulking, sorting, lotting, marking, and numbering, where such Operations respectively are necessary or permitted, and removing to and placing them in the proper Place of Deposit until duly delivered, shall be performed by or at the Expense of the Importer; and the Importer or Person entering any Timber or Wood to be charged with Duty by Measurement shall, at his Expense, pile, sort, frame, or otherwise place the same in such Manner as the Commissioners of Customs may deem necessary to enable the Officers to measure and take the Account thereof; and in all Cases when the same is measured in Bulk, the Measurement shall be taken to the full Extent of the Pile, and no Allowance shall be made by the Officers on account of any Interstices; but Battens, Boards, Deals, and Planks exceeding Twenty-one Feet in Length may be measured by the Piece, and the Account thereof taken separately.

Unshipping, carrying, landing, weighing, &c., and depositing of Goods, to be done at the Expense of the Importer.

Timber to be piled at the Expense of the Importer, so as to enable the Officer of Customs to measure it.

LXXXVI. If any Goods shall be removed from any Ship, Quay, Wharf, or other Place previous to the Examination thereof by the proper Officer of Customs, unless under the Care or Authority of such Officer, or if any Goods entered to be warehoused, or to be re-warehoused, shall be carried into the Warehouse, unless with the Authority or under the Care of the proper Officer of Customs, and in such Manner, by such Persons, within such Time, and by such Roads or Ways as such Officer shall direct, such Goods shall be forfeited.

Goods removed or carried into the Warehouse without Examination or Authority, forfeited.

LXXXVII. Upon the Entry and Landing of any Goods to be warehoused, or within such Period as the Commissioners of Customs shall

Landing Waiter to take Account of Goods for Warehouse.

Importation and Warehousing.

shall direct with respect to the same or any of them, the Landing Waiter or other Officer of Customs shall take a particular Account of such Goods at the Quay or Wharf at which they shall be so landed, or in the Warehouse, if they be Goods of which the Account is permitted to be taken in the Warehouse, and shall cause to be marked on each Package of which such Account shall be taken the Contents thereof, and shall enter in a Book prepared for that Purpose, containing the Name of the import Ship, and of the Person in whose Name they are entered, the Marks, Numbers, and Contents of each such Package, the Description of the Goods, and the Warehouse or Place in the Warehouse in which the same shall be deposited, and when the same shall have been so deposited with the Authority of such Officer he shall certify that the Entry and Warehousing of such Goods is complete, and such Goods shall from that Time be considered Goods warehoused; and if any such Goods shall be delivered, withheld, or removed from the proper Place of Examination before the same shall have been duly examined and certified by such Officer, such Goods shall be deemed to be Goods not duly entered or warehoused, and shall be forfeited.

Contents of Packages to be marked thereon, and entered in Landing Book.

Goods to be entered and Duties ascertained and paid according to Landing Account.

LXXXVIII. The Account of the Goods so taken as aforesaid shall be the Account upon which the Duties payable upon such Goods shall be ascertained when the same shall ultimately come to be delivered upon due Entry for that Purpose, and the same shall be entered and the full Duties due thereon be paid according to the Quantity taken in such Account, without any Abatement for any Deficiency, except as herein-after provided.

Warehoused Goods to be deposited in original Packages, or those of which Account is taken.

LXXXIX. All Goods warehoused shall be deposited in the Packages in which the same shall have been imported, except as to such Goods as are permitted to be skipped on the Quay, or bulked, sorted, lotted, packed, or repacked in the Warehouse after the landing thereof, in which Case they shall be deposited in the Packages in which the same shall be when the Account thereof is taken by the proper Officer; and if such Goods are not so deposited, or if any Alteration shall afterwards be made in the Goods so deposited, or in the packing thereof in the Warehouse, or if the same shall be removed from the Room in the Warehouse in which the same are deposited, without the Presence or Sanction of the proper Officers, except for Delivery under the proper Warrant, Order, or Authority for that Purpose, they shall be forfeited.

Goods altered or removed without Sanction of Officers forfeited.

Commissioners to direct what Goods may be bulked, sorted, packed, &c.

XC. The Commissioners of Customs may direct what Goods may be skipped on the Quay, or bulked, sorted, lotted, packed, or repacked, and determine in respect of what Goods the Account may be taken in any Warehouse approved by them for that Purpose, and within what

what Time after the landing thereof, and on such Conditions as they may deem necessary.

Importation and Warehousing.

XCI. If the Occupier of any Warehouse shall neglect to stow the Goods warehoused therein so that easy Access may be had to every Package and Parcel thereof he shall for every such Neglect forfeit the Sum of Five Pounds.

Warehouse-keeper neglecting to stow Goods properly to forfeit 5*l.*

XCII. If the Occupier of any Warehouse shall not produce to any Officer of Customs on his Request any Goods deposited in such Warehouse which shall not have been duly cleared and delivered therefrom, such Occupier shall for every such Neglect forfeit the Sum of Five Pounds in respect of every Package or Parcel not so produced, besides the Duties due thereon.

Warehouse-keeper neglecting to produce Goods deposited, when required, to forfeit 5*l.*

XCIII. If any Goods entered to be warehoused shall not be duly warehoused in pursuance of such Entry, or being duly warehoused shall be fraudulently concealed in or removed from the Warehouse, or abstracted from any Package, or transferred from one Package to another, or otherwise, for the Purpose of illegal Removal or Concealment, they shall be forfeited.

Goods not duly warehoused, or fraudulently concealed or removed, forfeited.

XCIV. If the Importer or Proprietor of any Goods warehoused, or any Person in his Employ, shall clandestinely open the Warehouse, or, except in the Presence of the proper Officer of Customs acting in the Execution of his Duty, gain Access to the Goods, such Importer or Proprietor shall for every such Offence forfeit the Sum of One hundred Pounds.

Importer or Proprietor of warehoused Goods clandestinely gaining Access thereto to forfeit 100*l.*

XCV. If any Goods shall be taken out of any Warehouse without due Entry of the same with the proper Officer of Customs, the Occupier of such Warehouse shall forthwith pay the Duties due upon such Goods; and every Person so taking out any Goods without Payment of Duty, or who shall aid, assist, or be concerned therein, and every Person who shall wilfully destroy or embezzle any Goods duly warehoused, shall be deemed guilty of a Misdemeanor, and shall, upon Conviction, suffer the Punishment by Law inflicted in Cases of Misdemeanor; but if such Person shall be an Officer of Customs or Excise not acting in the due Execution of his Duty, and shall be prosecuted to Conviction by the Importer, Consignee, or Proprietor of such Goods, no Duty shall be payable for or in respect of such Goods, and the Damage occasioned by such Waste, Spoil, or Embezzlement shall, with the Sanction of the Commissioners of the Treasury, be repaid or made good to such Importer, Consignee, or Proprietor by the Commissioners of Customs.

Duty on Goods taken out of Warehouse without Entry to be paid by Warehouse-keeper.

Persons taking Goods out of Warehouse, or destroying Goods in Warehouse, to be deemed guilty of a Misdemeanor.

Importer or Consignee, if defrauded by Officers, to be indemnified.

XCVI. No

Importation and Warehousing.

If Goods be damaged by Fire, &c., the Importer not entitled to Compensation.

XCVI. No Compensation shall be made by the Commissioners of Customs to any Importer, Proprietor, or Consignee of any Goods by reason of any Damage occasioned thereto in the Warehouse by Fire or other inevitable Accident.

Commissioners of Customs may remit Duties on warehoused Goods lost or destroyed.

XCVII. If any Goods warehoused or entered to be warehoused, or entered to be delivered from the Warehouse, shall be lost or destroyed by unavoidable Accident, either on Shipboard or in landing, or in receiving into the Warehouse, or in the Warehouse, the Commissioners of Customs may remit or return the Duties due thereon.

Removal.

As to the Removal of warehoused Goods:

Goods may be removed from one Port to another;

or from one Warehouse to another in the same Port.

Regulations for Removal.

XCVIII. Any Goods warehoused at any Port in the United Kingdom may be removed by Sea or by inland Carriage to any other Port in which the like Kind of Goods may be warehoused on Importation, to be re-warehoused at such other Port, and again as often as may be required at any other such Port, to be there re-warehoused, or, with the Permission of the proper Officers of Customs, from any Warehouse in any Port to any other Warehouse in the same Port, under such Regulations and with such Security as the Commissioners of Customs may direct, on the Delivery to the proper Officer by the Person requiring such Removal of a Request Note, stating the Particulars of the Goods required to be removed, the Name of the Port, or of the Warehouse if in the same Port, to which the same are intended to be removed, and with such other Information and in such Manner and Form as the Commissioners of Customs or the proper Officer may direct or require.

Officers at Port of Removal to transmit Account of Goods to Officers at Port of Destination.

Remover to give Bond in the Amount of Duty.

Bond may be given either at Port of Removal or Port of Destination.

Bond, how to be discharged.

XCIX. On the Delivery of any Goods for Removal, an Account, containing the Particulars thereof, shall be transmitted by the proper Officers of the Port of Removal to the proper Officers of the Port or Place of Destination, and the Person requiring the Removal thereof shall enter into Bond, with One sufficient Surety, in a Sum equal at least to the Duty chargeable on such Goods, for the due Arrival and re-warehousing thereof at the Port or Place of Destination within such Time as the Commissioners of Customs may direct, such Bond to be taken by the Collector, Comptroller, or other proper Officer, either of the Port or Place of Removal, or the Port or Place of Destination, as shall best suit the Residence or Convenience of the Parties interested in such Removal; and if such Bond shall have been given at the intended Port or Place of Destination, a Certificate thereof, under the Hand of the Collector or Comptroller or other proper Officer of such Port, shall, at the Time of the entering of such Goods, be produced to the Collector, Comptroller, or other proper Officer of the Port of Removal; and such Bond shall not be discharged unless such Goods shall have been produced to the proper Officer, and duly re-warehoused at the Port

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Port of Destination, within the Time allowed for such Removal, or shall have been otherwise accounted for to the Satisfaction of the Commissioners of Customs, nor until the full Duties due upon any Deficiency of such Goods not so accounted for shall have been paid; but any Remover may enter into General Bond, with such Sureties, in such Amount, and under such Conditions as the Commissioners of Customs may approve, for the Removal from Time to Time of any Goods from one Warehouse to another, and for the due Arrival and re-warehousing of the same at the Place of Destination within such Time or Times as the said Commissioners may direct.

General Removal Bond may be given.

C. Upon the Arrival of such Goods at the Port or Place of Destination the same shall be entered and warehoused in the same Manner, and under and subject to the same Laws, Rules, and Regulations, so far as the same are or can be made applicable, as are required on the Entry and Warehousing of Goods on the First Importation thereof.

Goods, on Arrival at Port of Destination, to be subject to same Regulations as Goods on first Importation.

CI. If upon the Arrival of Goods so removed as aforesaid at the Port of Destination the Parties shall be desirous forthwith to export the same, or to pay Duty thereon for Home Use, without actually lodging the same in the Warehouse for which they have been entered and examined to be re-warehoused, the Officers of Customs at such Port may, after all the Formalities of entering and examining such Goods for re-warehousing have been duly performed, permit the same to be entered and shipped for Exportation, or to be entered and delivered for Home Use, upon Payment of the Duties due thereon, as if such Goods had been actually lodged in such Warehouse; and all Goods so exported, or for which the Duties have been so paid, shall be deemed to have been duly cleared from the Warehouse.

On Arrival of Goods at Port of Destination they may, after formal re-warehousing, be entered for Exportation or for Home Use, on Payment of Duties.

CII. No Spirits which shall have been imported from Parts beyond the Sea into the United Kingdom upon which a higher Duty is payable on their Importation into *England* than on their Importation into *Scotland* or *Ireland*, shall be brought from *Scotland* or *Ireland* into *England;* nor shall any such Spirits upon which a higher Duty is payable on their Importation into *Scotland* than on their Importation into *Ireland*, be brought from *Ireland* into *Scotland*, except such as shall have been duly warehoused upon the First Importation thereof, according to the Laws in force for the Warehousing of Goods, and which shall be in the Warehouse at the Time of such intended Removal, and which shall be removed from one Warehousing Port to another Warehousing Port, according to the Regulations required by Law; and all such Spirits, when so removed, shall be liable to the

No Spirits which shall have been imported into the United Kingdom shall be removed except from Warehouse.

Importation and Warehousing.

Penalty for Removal of Spirits contrary hereto.

Duty payable thereon in that Part of the United Kingdom into which they shall be so removed, if they be entered for Home Consumption therein; and all Spirits removed contrary hereto shall be forfeited, and all Persons concerned in such Removal, or knowingly receiving or harbouring any Spirits so removed, shall forfeit the Penalty of One hundred Pounds, or Treble the Value of such Spirits, at the Election of the Commissioners of Customs or Inland Revenue.

Warehoused Goods, if not clearedforHome Use or Exportation within Five Years, must be re-warehoused.

Duties on Deficiencies and Expense of Examination to be paid down.

CIII. All warehoused Goods shall be cleared either for Home Use or Exportation at the Expiration of Five Years from the Day on which the same were so warehoused, or within such further Period and in such Cases as the Commissioners of the Treasury shall direct, unless the Owner or Proprietor of such Goods shall be desirous of re-warehousing the same, in which Case the same shall be examined by the proper Officers, and the Duties due upon any Deficiency or Difference between the Quantity ascertained on landing and the Quantity found to exist on such Examination, together with the necessary Expense attendant thereon, shall, subject to such Allowances as are by Law permitted in respect thereof, be paid down, and the Quantity so found shall be re-warehoused in the Name of the then Owner or Proprietor thereof in the same Manner as on First Importation.

Goods in Warehouse not cleared or re-warehoused, or Duties paid on Deficiencies, after Five Years, to be sold.

Proceeds of Sale, how to be applied.

Goods not worth the Duty may be exported or destroyed

CIV. If any warehoused Goods shall not be duly cleared, exported, or re-warehoused, and the Duties ascertained to be due on the Deficiencies as aforesaid shall not be paid down at the Expiration of Five Years from the previous Entry and warehousing thereof, or within such further Period as shall be directed as aforesaid, the same, if worth the Duty due thereon, shall, after One Month's Notice to the Warehouse Keeper, with all convenient Speed be sold either for Home Use or Exportation, with or without the Consent of the Warehouse Keeper, and the Proceeds thereof shall be applied to the Payment of the Duties, Warehouse Rent, and Charges, and the Surplus, if any, shall be paid to the Owner or Proprietor of such Goods, if known, but if such Owner or Proprietor cannot be found, such Surplus shall be carried to the Crown's Account, to abide the Claim of such Owner or Proprietor on his appearing and making good his Claim thereto; and if such Goods shall not be worth the Duty, then the same, after such One Month's Notice as aforesaid, may be exported or destroyed, with or without the Concurrence of the Owner thereof, or the Proprietor of the Warehouse in which the same were so warehoused, as the Commissioners of Customs shall see fit; and the Duties due upon any Deficiency thereof not allowed by Law shall be forthwith paid by the Proprietor of the Warehouse.

CV. With

Importation and Warehousing.

CV. With the Sanction of the Commissioners of Customs, and after such Notice given by the respective Importers or Proprietors, and at such Times and under such Regulations and Restrictions as the Commissioners of Customs shall from Time to Time require and direct, it shall be lawful in the Warehouse to sort, separate, pack, and repack any Goods, and to make such Alterations therein as may be necessary for the Preservation, Sale, Shipment, or Disposal thereof; provided that such Goods be repacked in the Packages in which they were imported, or in such other Packages as the Commissioners shall permit (not being less in any Case, if the Goods be to be exported or to be removed to another Warehouse, than is required by Law on the Importation of such Goods); and also to draw off any Wine or any Spirits into reputed Quart or Pint Bottles for Exportation only; and to draw off and mix Brandy with any Wine, not exceeding the Proportion of Ten Gallons of Brandy to One hundred Gallons of Wine; and also to fill up any Casks of Wine or Spirits from any other Casks of the same respectively secured in the same Warehouse; and also to rack off any Wine from the Lees, and mix any Wines of the same Sort, erasing from the Cask all Import Brands, unless the whole of the Wine so mixed be of the same Brand; and also to take such Samples of Goods as may be allowed by the Commissioners of Customs, with or without Entry, and with or without Payment of Duty, except as the same may eventually become payable as on a Deficiency of the original Quantity; and the Duty on the Surplus, if any, of such Goods as may be delivered for Home Use shall be immediately paid, and such Surplus shall thereupon be delivered for Home Use accordingly; and after such Goods have been so separated and repacked in proper or approved Packages, the Commissioners of Customs may, at the Request of the Importer or Proprietor of such Goods, cause or permit any Refuse, Damage, or surplus Goods occasioned by such Separation or repacking, or, at the like Request, any Goods which may not be worth the Duty, to be destroyed, and may remit the Duty payable thereon.

Goods in Warehouse may be sorted, repacked, &c.

To be repacked in the original or other legal sized Packages.

Wine or Spirits may be bottled for Exportation only. Brandy may be mixed with Wine in the Proportion of Ten Gallons to One hundred. Casks of Wine or Spirits may be filled up or racked off.

Wines may be mixed, and Samples taken.

After repacking, damaged Parts may be destroyed.

CVI. No Foreign Packages or Materials whatsoever shall be used in the repacking of any Goods in the Warehouse, except such as shall have been used in the Importation of warehoused Goods, unless the full Duties thereon shall have been first paid.

Foreign Import or Duty-paid Packages only to be used in repacking.

CVII. The Commissioners of Customs may permit any Goods to be taken out of the Warehouse without Payment of Duty, for such Purpose or for such Period as to them may appear expedient, and in such Quantities, and under such Regulations and Restrictions, and with such Security by Bond for the due Return thereof or the Payment

Goods in Warehouse may be taken out, unde certain Regulations, and with Security for Duties.

Importation and Warehousing.

ment of the Duties due thereon, as they may direct or require; and the Officers of Customs of any Port where any Premises shall be approved as a Bonded Sugar House may deliver any Quantity of Sugar, on the Application of the Proprietor or Occupier of such Bonded Sugar House, and on Entry of such Sugar with the proper Officer of Customs, for the Purpose of being there refined, under the Locks of the Crown, for Removal to the *Isle of Man* or for Exportation; and all Sugars so delivered shall be lodged and secured in such Premises, under such Conditions, Regulations, and Restrictions, as the Commissioners of Customs shall from Time to Time direct.

Delivery of Sugars Duty-free to be refined for Exportation only.

Refiner to give Bond.

CVIII. Upon the Entry of any Sugar to be refined in any Premises approved under this Act, the Proprietor or Occupier shall give Bond, to the Satisfaction of the Officers of the Customs, in a Sum equal to double the Amount of the Duty payable upon a like Quantity of Sugar, with a Condition that the whole of such Sugar shall be actually subjected to the Process of Refinement upon the said Premises, and that within Four Months from the Date of such Bond the whole of the refined Sugar and Treacle produced by such Process shall be either duly removed to the *Isle of Man* or exported from the said Premises, or delivered into an approved Bonded Warehouse under the Locks of the Crown, for the Purpose of being eventually so removed or exported.

Entry for Home Consumption and Exportation.

As to the Entry of warehoused Goods for Home Consumption and Exportation, and the Delivery thereof:

Entry for Exportation or Home Use.

CIX. No warehoused Goods shall be taken or delivered from the Warehouse, except upon due Entry, and under the Care of the proper Officers, for Exportation, or upon due Entry and Payment of the full Duties payable thereon for Home Use, except Goods delivered into the Charge of the Searchers to be shipped as Stores, in such Quantities as the Collector or Comptroller shall allow, subject to the Directions of the Commissioners of Customs, and under such Regulations as they may see fit to make.

Persons entering warehoused Goods for Home Use to deliver Bill of Entry, and pay down Duties.

CX. Upon the Entry of any Goods to be cleared from the Warehouse for Home Use the Person entering such Goods shall deliver a Bill of Entry, and Duplicates thereof, in like Manner and Form, containing the same Particulars, as are herein-before required on the Entry of Goods to be delivered for Home Use on the landing thereof, as far as the same may be applicable, and shall at the same Time pay down to the proper Officer of Customs the full Duties payable thereon, not being less in Amount than according to the Account of the Quantity taken by the Landing Waiter or other proper Officer on the First Entry and Landing thereof, except as to the following Goods;

Importation and Warehousing.

Goods; *viz.*, Tobacco, Wine, Spirits, Figs, Currants, Raisins, and Sugar, the Duties whereon, when cleared from the Warehouse for Home Use, shall be charged upon the Quantity of such Goods ascertained by Weight, Measure, or Strength at the Time of actual Delivery thereof, unless there is reasonable Ground to suppose that any Portion of the Deficiency or Difference between the Weight, Measure, or Strength ascertained on landing and First Examination of any such last-mentioned Goods, and that ascertained at the Time of actual Delivery, has been caused by illegal or improper Means, in which Case the proper Officer of Customs shall make such Allowance only for Loss as he may consider fairly to have arisen from natural Evaporation or other legitimate Cause.

Duties to be paid according to Landing Account, except in certain Cases.

Duties on certain Goods to be charged on ascertained Quantity on Delivery, unless Deficiency, has been caused by improper Means.

CXI. When any Deficiency occurs in Goods chargeable to pay Duty according to the Value thereof, the Value thereof shall be estimated as nearly as conveniently may be by the Officers of Customs according to the Market Price of the like sort of Goods.

Value of Goods (for Allowance on Deficiencies) to be estimated by Officers at the Market Price.

CXII. No Duty shall be charged in respect of any Deficiency in Goods entered and cleared from the Warehouse for Exportation, unless the Officers of Customs have reasonable Ground to suppose that such Deficiency or any Part thereof has arisen from illegal Abstraction.

Deficiencies in Goods entered for Exportation not to be charged with Duty, unless fraudulent.

CXIII. No Entry for Home Consumption shall from and after the passing of this Act be received for or in respect of any Timber or Wood Goods deposited in any Warehouse for Security of Duties, for any less Quantity at any One Time than Five Loads of such Timber or Wood Goods, unless such Wood Goods shall be delivered by Tale, in which Case such Entry may be passed for any Quantity thereof not being less than Two hundred and forty Pieces, or Two Great Hundreds of such Wood Goods; and no less Quantity of such Timber or Wood Goods shall be delivered in virtue of any such Entry at any One Time than One Load of such Timber or Wood Goods, or Ninety Pieces of such Wood Goods if delivered by Tale.

Entries for Wood Goods restricted.

CXIV. No Pack or Parcel of Playing Cards imported into any Part of the United Kingdom shall be sold or exposed or kept for Sale without being separately enclosed in a Wrapper provided by the Commissioners of Inland Revenue, with such Device thereon as they shall direct, and securely fastened round or over the same by means of some adhesive Substance, and so and in such Manner that such Wrapper cannot be opened without being destroyed; and if any Person shall sell, or offer or expose or keep for Sale, any Pack or Parcel of Playing Cards, not being a Pack of Cards within the Meaning of an Act passed in the present Session, Chapter Fifty-nine, and enclosed in a Wrapper of

Cards imported not to be sold without a Wrapper provided by the Commissioners of Inland Revenue.

of a licensed Maker of Playing Cards approved by the said Commissioners, and the same not being *bonâ fide* waste Cards within the Meaning of the same Act, without the same being enclosed in a Wrapper provided by the last-mentioned Commissioners in pursuance of this Act, and fastened as herein-before in that Behalf mentioned, he shall for every such Pack or Parcel of Cards forfeit, if he shall not be a licensed Maker of Playing Cards, the Sum of Ten Pounds, and if he shall be such licensed Maker the Sum of Twenty Pounds, whether such Cards shall have been made in the United Kingdom or imported; which Penalty, as well as any Penalty relating to Playing Cards imposed by the said last-mentioned Act, may be recovered, either in Her Majesty's Superior Courts or before any Justice of the Peace, in like Manner as any Penalty under any Act relating to Stamp Duties; and all such Cards so offered, exposed, or kept for Sale may be seized and taken by any Officer of Customs or Inland Revenue, and shall be disposed of as the Commissioners of Inland Revenue shall direct; and in any Proceedings for the Recovery of any such Penalty by this Act imposed it shall be sufficient to allege that the Person charged with the Offence did sell, or offer or expose or keep for Sale, as the Case may be, a Pack or any Number of Packs of Playing Cards, without the same being enclosed in a Wrapper required by Law, and it shall not be necessary further or otherwise to charge or describe the Offence.

Penalty 10*l.* if not a Maker, 20*l.* if a Maker

Cards kept for Sale without Wrapper forfeit

Commissioners of Inland Revenue to provide Wrappers to enclose therein Cards imported

CXV. The Commissioners of Inland Revenue shall provide Wrappers for enclosing Cards imported into the United Kingdom, in such Form and with such Device and with any Words and Figures thereon as they shall think proper, and shall appoint an Officer, at any Port or Place where the same shall be required, to enclose in such Wrappers any Cards imported; and every such Officer, on reasonable Notice and upon Delivery to him of a Certificate, under the Hand of the proper Officer of Customs at the Port where any Cards shall be imported, that the Duties by Law charged on such Cards imported have been duly paid, and specifying such Particulars as the Commissioners of Inland Revenue shall direct, shall enclose every Pack of such Cards in One of such Wrappers, and securely fasten the same by means of some adhesive Substance, in such Manner as the said last-mentioned Commissioners shall direct; and no such Cards shall be delivered out of the Custody of the Officers of Customs until they shall be enclosed in such Wrappers as aforesaid; and if any such Cards, or any Cards made in the United Kingdom and purporting to be or intended to be represented as Cards imported, or which shall not be *bonâ fide* waste Cards as aforesaid, or Packs of Cards in respect of which the Stamp Duties shall have been paid, shall be found in any Part of the United Kingdom not enclosed in any such Wrapper as aforesaid,

aforesaid, all such Cards shall be forfeited, and may be seized and taken by any Officer of Customs or Inland Revenue, and shall be disposed of as the Commissioners of Inland Revenue shall direct.

Forgery of Wrapper.

CXVI. If any Person shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall aid or assist in the forging or counterfeiting of any Wrapper provided by the Commissioners of Inland Revenue in pursuance of this Act, or any Wrapper of a licensed Maker of Playing Cards, or any Wrapper purporting to be the Wrapper of any such licensed Maker made for enclosing Playing Cards, or shall knowingly and wilfully utter, or, without lawful Excuse, the Proof whereof shall lie upon him, be possessed of any such forged or counterfeit Wrapper, he shall be guilty of Felony, and shall be liable to the same Punishment as any Person guilty of forging or counterfeiting any Stamp or Mark provided, made, or used by the Commissioners of Inland Revenue.

III. *Exportation.*

Entry of Goods, &c. out.

As to the Exportation and Entry of Goods, and the Clearance of Ships from the United Kingdom to Parts beyond the Seas:

Warehoused Goods not to be exported in Ships of less than Fifty Tons Burden, except to Guernsey or Jersey.

CXVII. No Person shall export any warehoused Goods, nor enter any such Goods for Exportation from the United Kingdom to Parts beyond the Seas, in any Ship of less Burden than Fifty Tons, except to the Islands of *Guernsey* and *Jersey* in Ships not being of less than Forty Tons Burden, regularly trading to those Islands.

Vessels outwards.

Master to deliver Certificate of Clearance of last Voyage, and to make Entry outwards.

CXVIII. The Master of every Ship in which any Goods are to be exported from the United Kingdom to Parts beyond the Seas, or his Agent, shall, before any Goods be taken on board, deliver to the Collector or Comptroller a Certificate from the proper Officer of the due Clearance inwards or coastwise of such Ship of her last Voyage, and shall also deliver therewith an Entry outwards of such Ship, verified by his Signature, in the following Form or to the same Effect, and containing the several Particulars indicated or required thereby:

Customs Consolidation Act.

Exportation.

Form of Entry of Ship outwards.

ENTRY OUTWARDS.

Port of (*Name of Port of Exportation*).

Ship's Name.		Tonnage.	Master's Name.	Port of Destination.
If British, Name of Port of her Registry.	If Foreign, Name of Country to which she belongs.			

Lying at (*Name of Station or Place in Port*)

(Signed) _____

Master or Agent.

Date of Entry

If Ship shall have commenced her Lading at any other Port (Name of such Port).

And if such Ship shall have commenced her Lading at some other Port, the Master shall deliver to the Searcher the Clearance of such Goods from such other Port; and if any Goods be taken on board any Ship at any Port before she shall have been entered outwards at such Port (unless a Stiffening Order, when necessary, shall be issued by the proper Officer to lade any heavy Goods for Exportation on board such Ship), the Master shall forfeit the Sum of One hundred Pounds.

Penalty.

Goods not to be shipped except on proper Days and Places, nor until Entry and Clearance.

CXIX. No Goods shall be shipped, put off, or water-borne to be shipped for Exportation, from any Port or Place in the United Kingdom, except on Days not being *Sundays* or Holidays, nor from any Place except some Legal Quay, Wharf, or other Place duly appointed for such Purpose, nor without the Presence or Authority of the proper Officer of Customs, nor before due Entry outwards of such Ship, and due Entry of such Goods, nor before such Goods shall have been duly cleared for Shipment; and it shall be lawful for the Searcher to open all Packages, and fully to examine all Goods shipped or brought for Shipment at any Place in the United Kingdom.

Searcher may open Packages and examine Goods.

Entry and Clearance.

As to the Entry and Clearance of Goods for Exportation:

On Entry outwards, Bond for due shipping and landing shall be given.

CXX. Before any warehoused Goods, *British*-wrought Plate, Goods subject to Duties of Customs, or entitled to any Drawback of Customs, on Exportation, or exportable only under particular Rules, Regulations, or Restrictions, shall be permitted to be exported, the Exporter or his Agent shall deliver to the Collector or Comptroller a Bond

Bond Note or Account of such Goods, and give Security by Bond in double the Amount of Duty payable by Law upon the Importation of such Goods, with One sufficient Surety, that such Goods shall be duly shipped and exported, and shall be landed at the Place for which they are entered outwards, or otherwise accounted for to the Satisfaction of the Commissioners of Customs; and such Bond Note, when certified by the proper Officer, shall be the Export Entry for such Goods. *Exportation.*

CXXI. Before any such Goods shall be shipped or water-borne to be shipped for Exportation, the Exporter or his Agent shall deliver to the Searcher or other proper Officer a Shipping Bill of such Goods in the Form following or to that Effect, and containing the Particulars indicated therein or required thereby: Exporter to deliver Shipping Bill.

Form of Shipping Bill for Goods for which Bond is required to be given on Exportation.

Shipping Bill for
1. Warehoused or Drawback Goods.
2. Foreign Goods not for Drawback.
3. Goods exported under some particular Rule, Regulation, or Restriction.

(*State as above described the Class to which the Goods to be exported belong*).

Ship's Name.	Whether British or Foreign Ship; if Foreign, the Country.	Master's Name.	The Port or Place of Destination.
Here state the Particulars according to the above Headings.			

Marks.	Numbers.	Description of Packages.	Quantity, Quality, and Description of Goods.
Here state the Particulars according to the above Headings.			
Total Number of Packages			

I claim Drawback on { *Here state the Quantity and Description in Words at Length of any Goods in respect of which Drawback is claimed.*

(Signed) _____

Exporter or Agent.

Station of Clearance.

(Countersigned) _____

Searcher.

Dated Day of

Exportation.

Inland Revenue Drawback.

Notice to Officer.

Order to Searcher.

Shipment to be certified.

CXXII. No Drawback of Excise shall be allowed upon any Goods cleared for Exportation, unless the Person intending to claim such Drawback shall have given due Notice to the Officer of Excise, and shall have produced to the Searcher, at the Time of clearing such Goods, a proper Document under the Hand of the Officer of Excise, containing the Description of such Goods; and if such Goods be found to correspond with the Particulars of the Goods contained in such Document, and be duly shipped and exported, the Searcher shall, if required, certify such Shipment upon such Document, and shall transmit the same to the Officer of Excise.

Goods not entitled to Drawback if of less Value than claimed.

Penalty for Entry of such Goods.

CXXIII. No Drawback shall be allowed upon the Exportation of any Goods entered for Drawback or as Stores which shall be of less Value than the Amount of the Drawback claimed; and all such Goods so entered shall be forfeited, and the Person who caused such Goods to be entered shall forfeit the Sum of Two hundred Pounds, or Treble the Amount of Drawback claimed in such Case, at the Election of the Commissioners of Customs.

No Drawback on Tobacco not properly manufactured, and Penalty on Persons fraudulently attempting to obtain Drawback.

CXXIV. No Drawback shall be allowed on any Tobacco not wholly manufactured from Tobacco on which the Duty on Importation shall have been paid, nor on any Tobacco mixed with Dirt, Rubbish, or other Substance; and every Person who shall enter or ship, or cause to be entered or shipped, any Tobacco contrary hereto, shall, over and above all other Penalties which he may thereby incur, forfeit Treble the Amount of the Drawback sought to be obtained, or Two hundred Pounds, at the Election of the Commissioners of Customs, and all such Tobacco shall be forfeited.

Shipping Bill for Free Goods, &c. to be delivered to Searcher.

CXXV. Before any Goods in respect of which no Bond is required shall be shipped or water-borne to be shipped for Exportation, the Exporter or his Agent shall deliver to the Searcher a Shipping Bill thereof, with such Duplicates as may be required by him, in the following Form or to that Effect, and containing the several Particulars indicated in or required thereby:

SHIPPING BILL FOR BRITISH MANUFACTURES OR FOREIGN GOODS FREE OF DUTY.

Expo

Form Shippi for Br Manuf and F Goods Duty.

Ship's Name.	Whether British or Foreign Ship; if Foreign, the Country.	Master's Name.	Port or Place of Destination.

Marks.	Numbers.	Description of Packages.	Quantity, Quality, and Description of Goods.	The Value of British Goods and of Foreign Goods formerly charged with Duty at Value (if any).
				£ s. d.
Total Number of Packages			Total Value	

I declare the Value of the British Goods above described to be

(Signed) _____

Exporter or Agent.

Station of Clearance,

(Countersigned) _____

Searcher.

Dated this Day of 18 .

And such Shipping Bill shall be the Entry for the Goods contained therein; provided, that at *Liverpool*, and (with the Sanction of the Commissioners of Customs) at any other Port where the Docks, Quays, and Wharfs are in like Manner wholly or principally under the Control and Management of one and the same Corporate Body, the Owner, Charterer, Consignee, Broker, Agent, or other Person acting in the loading and Clearance of the exporting Ship shall also prepare a full and accurate List or Manifest of all such Goods from the Bills of Lading and Freight List thereof, and shall sign and leave with the Collector of the Customs, within Fourteen Days after such Ship shall have cleared outwards, a correct Transcript of such last-mentioned List or Manifest, with the Addition of the Value of such Goods, if any, as shall have been previously chargeable with Duty, at Value, and of *British* Goods, distinguishing therein the Names of the several Shippers of such Goods, according to the Bills of Lading; and on Failure to prepare such List or Manifest, and to sign and deliver such Transcript as aforesaid, such Owner, Charterer, Consignee, Broker, or other Person as aforesaid shall forfeit the Sum of Twenty Pounds.

CXXVI. The

Exportation.

Shipping Bill signed by Searcher to be the Clearance for the Goods.

CXXVI. The Shipping Bill or Bills, when filled up, and signed by the Exporter or his Agent, or the Consignee of the Ship, as the Case may be, in such Manner as the proper Officer may require, and countersigned by the Searcher, shall be the Clearance for all the Goods enumerated therein; and if any of such Goods shall consist of Tea, Spirits, or Tobacco, the Exporter or his Agent shall furnish to the Searcher an Account thereof, containing the Number and Description of the Packages, and the respective Quantities contained therein, which, when certified by the Searcher, shall accompany the Ship, and have the same Force and Effect as the Cocket in use prior to the passing of this Act; and if the Exporter or his Agent shall require a similar Certificate in respect of any other Goods shipped for Exportation, the Searcher shall, on its being presented to him for that Purpose, certify the same in like Manner: Provided always, that if any such Certificate be required to be in any particular Form for Goods destined for the *Zolverein* or any other Foreign State, or under the Name of Cocket, such Certificate may be so prepared and denominated.

Licensed Lighterman to carry Goods.

CXXVII. If any Goods cleared for Drawback or from the Warehouse shall be carried or water-borne to be put on board any Ship for Exportation by any Person not at the Time duly licensed and authorized to act as a licensed Lighterman, either in the Port of London or any other Port at which Lightermen are required to be so licensed, or by any Person not being in the Employ of such Lighterman at the Time duly authorized to act as such, every such Person shall for every such Offence forfeit the Sum of Twenty Pounds.

Warehoused Goods removed or shipped for Exportation without Authority forfeited.

CXXVIII. If any Goods taken from the Warehouse for Removal or for Exportation shall be removed or shipped, except with the Authority or under the Care of the proper Officer of Customs, and in such Manner, by such Persons, within such Time, and by such Roads or Ways as such Officer shall permit or direct, such Goods shall be forfeited.

Commissioners may remit Duty on warehoused Goods lost or destroyed while in course of Removal or Shipment.

CXXIX. If any Goods duly entered for Delivery from the Warehouse for Removal or Exportation shall be lost or destroyed by unavoidable Accident, either in the Delivery from the Warehouse or the shipping thereof, the Commissioners of Customs may remit the Duties due thereon.

Payment of Drawback.

As to the Issue of Debentures for and Payment of Drawback on Goods exported:

Issuing and passing Debenture.

CXXX. For the Purpose of computing and paying any Drawback claimed and payable upon any Goods duly entered, shipped, and exported,

exported, a Debenture shall in due Time after such Entry be prepared by the Collector or Comptroller, certifying in the first instance the Entry outwards of such Goods, and so soon as the same shall have been duly exported, and a Notice containing the Particulars of the Goods shall have been delivered by the Exporter to the Searcher, the Shipment and Exportation thereof shall be certified to the Collector or Comptroller upon such Debenture by the Searcher, and the Debenture shall thereupon be computed and passed with all convenient Despatch. *Exportation.*

CXXXI. The Person entitled to any Drawback on any Goods duly exported, or his Agent duly authorized by him for that Purpose, shall make and subscribe a Declaration upon the Debenture that the Goods mentioned therein have been actually exported, and have not been relanded, and are not intended to be relanded, in any Part of the United Kingdom, and that such Person at the Time of Entry and shipping was and continued to be entitled to the Drawback thereon, and the Name of such Person shall be stated in the Debenture, which shall then be delivered to such Person or his Agent, and the Receipt of such Person on the Debenture, countersigned by the Holder of such Debenture, if the same shall have been transferred in the meantime, shall be the Discharge for such Drawback when paid. **Declaration as to Exportation and Right to Drawback.** **Name of Person entitled to be declared.**

CXXXII. No Debenture for any Drawback allowed upon the Exportation of any Goods shall be paid after the Expiration of Two Years from the Date of the Shipment of such Goods. **Payment within Two Years.**

CXXXIII. If any Goods which have been cleared to be exported for any Drawback shall not be duly exported to Parts beyond the Seas, or shall be unshipped or relanded in any Part of the United Kingdom (such Goods not having been duly relanded or discharged as short-shipped under the Care of the proper Officers), or shall be carried to any of the Channel Islands (not having been duly entered, cleared, and shipped to be exported or carried directly to such Islands), the same shall be forfeited, together with any Ship, Boat, or Craft which may have been used in so unshipping, relanding, landing, or carrying such Goods from the Ship in which the same were shipped for Exportation; and the Master of such Ship, and any Person by whom or by whose Orders or Means such Goods shall have been so unshipped, relanded, landed, or carried, or who shall aid, assist, or be concerned therein, shall forfeit a Sum equal to Treble the Value of such Goods, or a Penalty of One hundred Pounds, at the Election of the Commissioners of Customs. **Warehouse or Debenture Goods not exported, or if relanded, or carried to Guernsey, &c., without Entry, forfeited.**

Exportation.

Drawbacks of Duties on Wine allowed for Officers in the Navy.

CXXXIV. A Drawback of the whole of the Duties of Customs shall be allowed for Wine intended for the Consumption of Officers of Her Majesty's Navy on board such of Her Majesty's Ships in actual Service as they shall serve in, not exceeding the Quantities of Wine in any One Year for the Use of such Officers herein-after respectively mentioned; that is to say,

		Galls.
For every	Admiral	1,260
„	Vice-Admiral	1,050
„	Rear-Admiral	840
„	Captain of the 1st and 2d Rate	630
„	Captain of the 3d, 4th, and 5th Rate	420
„	Captain of an inferior Rate	210
„	Lieutenant and other Commanding Officer, and for Marine Officer, Master, Purser, and Surgeon	105

unless such Wine be taken from the Warehouse without Payment of Duty under such Regulations as the Commissioners of Customs may direct: Provided always, that in either Case such Wine be shipped at Ports approved of by the Commissioners of Customs.

Persons entering such Wine for Drawback to declare the Name and Rank of Officer claiming the same.

CXXXV. The Person entering such Wine, and claiming the Drawback for the same, shall state in the Entry and declare on the Debenture the Name of the Officer for whose Use such Wine is intended, and of the Ship in which he serves; and such Wine shall be delivered into the Charge of the Officers of the Customs at the Port of Shipment, to be shipped under their Care; and the Commanding Officer for the Time being of such Ship, having certified upon the Debenture the Receipt of such Wine into his Charge, and the proper Officer of the Customs having certified to the Shipment on the Debenture, the same shall be computed and passed, and be delivered to the Person entitled to receive the same.

Officers leaving the Service, &c. such Wine permitted to be transferred to others.

CXXXVI. If any such Officer shall leave the Service, or be removed to another Ship, the Officers of the Customs may permit the Transfer of any such Wine from one Officer to another, as Part of his Proportion, whether on board the same Ship or another, or the Transhipment from one Ship to another for the same Officer, or the relanding and warehousing for future Reshipment; and the Officers of Customs at any Port may receive back the Duties for any of such Wine, and deliver the same for Home Use; but if any of such Wine be not laden on board the Ship for which the same was intended, or be unladen from such Ship without Permission of the proper Officer of Customs, the same shall be forfeited.

CXXXVII. The

Exportation.

Pursers of Her Majesty's Ships of War may ship Tobacco for the Use of Crew free of Duty, on giving Bond.

CXXXVII. The Purser of any of Her Majesty's Ships of War in actual Service may enter and ship, at any Port approved of by the Commissioners of Customs, in the Proportions herein-after mentioned, any Tobacco there warehoused in his Name, or transferred into his Name for the Use of the Ship in which he shall serve, provided such Purser shall deliver to the Collector or Comptroller of such Port a Certificate from the Captain of such Ship, stating the Name of the Purser, and the Number of Men belonging to the Ship, and shall also give Bond, with One sufficient Surety, in Treble the Duties payable on the Tobacco, that no Part thereof shall be relanded without Leave of the Officers of Customs.

Purser removed from one Ship to another may tranship Tobacco, with Permission of Collector.

CXXXVIII. If any Purser shall be removed from one Ship to another, the Collector or Comptroller of any Port may permit the Transhipment of the Remains of any such Tobacco, for the Use of such other Ship, upon due Entry of such Tobacco by such Purser, setting forth the Time when and the Port at which such Tobacco was first shipped; and if any such Ship shall be paid off, the Collector or Comptroller of the Port may permit the Remains of any such Tobacco to be landed, and to be entered by the Purser of such Ship, either for Payment of Duties, or to be warehoused for the Term of Six Months, for the Supply of some other such Ship, in like Manner as any Tobacco may be warehoused and supplied at any such Port, or for Payment of all Duties within such Six Months; and all Tobacco warehoused for the Purpose of so supplying Her Majesty's Ships of War shall be subject to the Provisions of any Act in force relating to the warehousing of Tobacco generally, as far as the same are applicable, and are not expressly altered by any of the Provisions herein particularly made.

Limiting the Quantity of Tobacco.

CXXXIX. No greater Quantity of such Tobacco shall be allowed to any Ship of War than Two Pounds by the Lunar Month for each of the Crew of such Ship, nor shall any greater Quantity be shipped at any One Time than sufficient to serve the Crew of such Ship for Six Months after such Rate of Allowance; and the Collector or Comptroller of the Port at or from which any such Tobacco shall be supplied to any such Ship, or landed from any such Ship, or transferred from one such Ship to another, shall transmit a particular Account thereof to the Commissioners of Customs, in order that a general Account may be kept of all the Quantities supplied to and consumed on board each of such Ships under the Allowances before granted.

Shipping of Stores.

As to the shipping of Stores for the Use of Foreign-bound Vessels:

Victualling Bill for Stores.

CXL. The Master of every Ship of the Burden of Fifty Tons or upwards, departing from any Port in the United Kingdom upon

Exportation.

upon a Voyage to Parts beyond the Seas, the Duration of which out and home shall not be less than Forty Days, shall, upon due Application made by him, and upon such Terms and Conditions as the Commissioners of Customs may direct, receive from the Searcher an Order for the Shipment of such Stores as may be required and allowed by the Collector or Comptroller for the Use of such Ship, with reference to the Number of the Crew and Passengers on board, and the probable Duration of the Voyage on which she is about to depart; and all Demands for such Stores shall be made in such Form and Manner as such Collector or Comptroller shall require, and shall be signed by the Master or Owner of the Vessel; and after such Stores are duly shipped the Master or his Agent shall make out an Account of the Stores so shipped, together with any other Stores then already on board, and the same, when presented to the Searcher, signed by him, and countersigned by the Collector or Comptroller, shall be the Victualling Bill; and no Stores shall be shipped for the Use of any Ship, nor any Articles taken on board any Ship be deemed to be Stores, except such as shall be borne upon such Victualling Bill.

Clearance of Ship out.

As to the Clearance of Ships outwards:

If inward Cargo reported for Exportation, Copy of Report thereof to be delivered to the Searcher.

CXLI. If there be on board any Ship any Goods, being Part of the inward Cargo reported for Exportation in the same Ship, the Master shall, before Clearance outwards of such Ship from any Port in the United Kingdom, deliver to the Searcher a Copy of the Report inwards of such Goods, certified by the Collector or Comptroller; and if such Copy be found to correspond with the Goods so remaining on board, the Searcher shall sign the same, to be filed with the Certificates or Cockets, if any, and Victualling Bill of the Ship.

Before Clearance, Master to deliver Content.

CXLII. Before any Ship shall be cleared outwards from the United Kingdom with any Goods shipped or intended to be shipped on board the same, the Master shall deliver a Content of such Ship to the Searcher, in the Form or to the Effect following, and containing the several Particulars therein required, as far as the same can be known by him, and shall make and subscribe the Declaration at the Foot thereof, in the Presence of the Collector or Comptroller, and shall answer such Questions as shall be demanded of him concerning the Ship, the Cargo, and the intended Voyage, by such Collector or Comptroller:

Customs Consolidation Act.

Exportation.

Form of Content.

CONTENT.

Port of

Ship's Name.	Tonnage and Number of Guns.		If British, Port of Registry; if Foreign, the Country.	Number of Crew.	Name of Master.	Number of Passengers or Troops.
	Tons.	Guns.				
Here state the Particulars according to the above Headings.						

Warehoused Goods.	Drawback and Restricted Goods.	British Goods and Foreign Goods free of Duty, and Foreign Goods not for Drawback.
If any, state Marks and Numbers of Packages.	*If any, state Description of Packages.*	*If any, state* "Sundry Packages containing," *either Class, as the Case may be.*
If any Goods shall have been reported inwards for Exportation in such Ship they must be so stated.		

Cleared

Examined

(Signed) _____

Searcher.

Dated

I do declare, That the above Content is a true Account of all Goods shipped or intended to be shipped on board the above-named Ship, and correct in all other Particulars.

(Signed) _____

Master.

Signed and declared, this Day of before me,

(Signed) _____

Collector or Comptroller.

And before Clearance the Certificates, if any, shall be delivered to the Searcher, who shall compare the Shipping Bills with the Content and Certificates, if any, and file such Certificates, Copy of Report inwards, if any, of Goods reported for Exportation in such Ship, and the

Before Clearance Certificate to be delivered to Searcher.

Exportation.

Victualling Bill, with a Label attached and sealed thereto, in the Form or to the Effect following:

(*Seal.*)

Number of Certificates (*Numbers in Figures*).

Ship (*Name of Ship*).

Master (*Name of Master*).

(*Date of Clearance.*) (*Signature*) _____ Searcher.

(*Signature*) _____

Collector or Comptroller.

Label signed, Authority to depart.

And such Label, when filled up, and signed by the Searcher and the Collector or Comptroller, shall, as to the Goods comprised therein, be the Clearance and Authority for the Departure of the Ship; and the Shipper of any *British* Goods and such Goods as were previously chargeable with Duty at Value laden in such Ship shall, under a Penalty of Twenty Pounds, deliver to the Broker, Agent, or other Person clearing such Ship, a Duplicate of the Bill of Lading thereof at the Time of signing thereof, with an Endorsement thereon of the Quantity and Value of such Goods, and such Broker, Agent, or other Person as aforesaid shall, within Fourteen Days after such final Clearance of the Ship, sign and deliver to the Collector or Comptroller of Customs a full and accurate List of all such Goods, with the Quantities and Value thereof, from the Bills of Lading so delivered to him, with such Bill or Bills of Lading annexed thereto, and on Failure thereof such Broker, Agent, or other Person as aforesaid shall forfeit the Sum of Twenty Pounds, and for this Purpose the Duplicate Bill of Lading so required shall not be liable to any Stamp Duty.

Goods on board to correspond with Content.

CXLIII. If any Goods liable to Duty on Importation, or taken from the Warehouse to be exported, or entitled to Drawback on Exportation, which are enumerated in the Content of any Ship, shall not be duly shipped before the Departure of such Ship, or shall not be duly certified by the proper Officer as short-shipped, such Goods shall be forfeited; or if any such Goods shall be taken on board such Ship, not being enumerated in such Content, the Master of such Ship shall forfeit the Sum of Five Pounds in respect of every Package of such Goods; and if any Goods duly shipped on board such Ship shall be landed at any other Place than that for which they shall have been cleared, unless otherwise accounted for to the Satisfaction of the Commissioners of Customs, the Master of such Ship shall forfeit a Sum equal to Treble the Value of the Goods so landed.

Goods shipped contrary to Provisions forfeited.

CXLIV. If any Goods shall be shipped, put off or water-borne to be shipped, without being duly cleared, or otherwise contrary to the Provisions of this Act, the same shall be liable to Forfeiture.

CXLV. Before

Exportation.

In Ballast.

CXLV. Before any Ship shall depart in Ballast from the United Kingdom for Parts beyond the Seas, not having any Goods on board, except Stores from the Warehouse borne upon the Victualling Bill of such Ship, nor any Goods reported inwards for Exportation in such Ship, the Collector or Comptroller shall clear such Ship in Ballast, by notifying such Clearance and the Date thereof on the Victualling Bill, and deliver the same to the Master of such Ship as the Clearance thereof; and the Master of such Ship shall answer to the Collector or Comptroller such Questions touching her Departure and Destination as shall be demanded of him; and Ships having only Passengers with their Baggage on board, and Ships laden only with Chalk or Slate, shall be deemed to be in Ballast; and if any such Ship, whether laden or in Ballast, shall depart without being so cleared, if she have any such Stores on board, the Master shall forfeit and pay the Sum of One hundred Pounds.

Clearance notified on Victualling Bill.

Master to answer Questions.

Ships, whether laden or in ballast to clear out.

Penalty 100*l.*

Boarding of Ships.

As to the boarding of Ships after Clearance outwards:

Officers may board any Ship after Clearance.

CXLVI. Any Officers of Customs may go on board any Ship after Clearance outwards within the Limits of any Port in the United Kingdom, or within Four Leagues of the Coast thereof, and may demand the Ship's Clearance; and if there be any Goods on board in respect of which Certificates are required, not contained in such Certificates, or any Stores not endorsed on the Victualling Bill, such Goods or Stores shall be forfeited; and if any Goods contained in such Certificates be not on board, the Master shall forfeit the Sum of Twenty Pounds for every Package or Parcel of Goods contained in such Certificates, and not on board.

Goods on board, and without Certificate where required, forfeited.

If any certificated Goods missing, Penalty 20*l.*

If Officers put Seals upon upon Stores from the Warehouse outwards, and such Seals be broken, Master to forfeit 20*l.*

CXLVII. If any Officer of Customs shall place any Lock, Mark, or Seal upon any Goods taken from the Warehouse without Payment of Duty as Stores on board any Ship or Vessel departing from any Port in the United Kingdom, and such Lock, Mark, or Seal be wilfully opened, altered, or broken, or if any such Stores be secretly conveyed away, either while such Ship or Vessel remains at her First Port of Departure, or at any other Port or Place in the United Kingdom, or on her Passage from one such Port or Place to another, before the final Departure of such Ship or Vessel on her Foreign Voyage, the Master shall forfeit the Sum of Twenty Pounds.

Ships not bringing to at Stations, Penalty 20*l.*

CXLVIII. If any Ship departing from any Port in the United Kingdom shall not bring to at such Stations as shall be appointed by the Commissioners of Customs for the landing of Officers from such Ships, or for further Examination previous to such Departure, the Master of such Ship shall forfeit the Sum of Twenty Pounds.

CXLIX. The

Exportation.

Time of Exportation and Departure defined.

CXLIX. The Time at which any Goods shall be shipped on board any Export Ship shall be deemed to be the Time of Exportation of such Goods, and the Time of the last Clearance of any Ship shall be deemed to be the Time of Departure of such Ship.

Goods prohibited by Proclamation.

CL. The following Goods may, by Proclamation or Order in Council, be prohibited either to be exported or carried coastwise: Arms, Ammunition, and Gunpowder, Military and Naval Stores, and any Articles which Her Majesty shall judge capable of being converted into or made useful in increasing the Quantity of Military or Naval Stores, Provisions, or any Sort of Victual which may be used as Food by Man, and if any Goods so prohibited shall be exported from the United Kingdom or carried coastwise, or be water-borne to be so exported or carried, they shall be forfeited.

Forfeiture.

IV. *Coasting Trade.*

All Trade by Sea from one Part of the United Kingdom to another to be deemed coastwise, and no Part to be deemed beyond the Sea.

As to the Coasting Trade of the United Kingdom:

CLI. All Trade by Sea from any one Part of the United Kingdom to any other Part thereof shall be deemed to be a Coasting Trade, and all Ships while employed therein shall be deemed to be Coasting Ships, and no Part of the United Kingdom, however situated with regard to any other Part, shall be deemed in Law, with reference to each other, to be Parts beyond the Seas; and if any Doubt shall at any Time arise as to what or to or from what Parts of the Coast of the United Kingdom shall be deemed a Passage by Sea, the Commissioners of the Treasury may determine and direct in what Cases the Trade by Water from one Port or Place in the United Kingdom to another of the same shall or shall not be deemed a Trade by Sea within the Meaning of this or any Act relating to the Customs.

Coasting Trade of United Kingdom.

CLII. No Goods or Passengers shall be carried coastwise from One Part of the United Kingdom to another, except in *British* Ships.

Coasting Ship confined to Coasting Voyage.

CLIII. No Goods shall be carried in any Coasting Ship, except such as shall be laden to be so carried at some Port or Place in the United Kingdom, and no Goods shall be laden on board any Ship to be carried coastwise until all Goods brought in such Ship from Parts beyond the Seas shall have been unladen; and if any Goods shall be taken into or put out of any Coasting Ship at Sea or over the Sea, or if any Coasting Ship shall touch at any Place over the Sea, or deviate from her Voyage, unless forced by unavoidable Circumstances, or if the Master of any Coasting Ship which shall have touched at any Place over the Sea shall not declare the same in Writing under his Hand to the Collector or Comptroller at the Port in the United Kingdom where such Ship shall afterwards first arrive, the Master of such Ship shall forfeit the Sum of One hundred Pounds.

CLIV. If

Coasting Trade.

Times and Places for landing and shipping.

CLIV. If any Goods shall be unshipped from any Ship arriving coastwise, or be shipped or water-borne to be shipped to be carried coastwise, on *Sundays* or Holidays, or unless in the Presence or with the Authority of the proper Officer of the Customs, or unless at such Times and Places as shall be appointed or approved by him for that Purpose, the same shall be forfeited, and the Master of the Ship shall forfeit the Sum of Fifty Pounds.

Master of Coasting Vessel to keep a Cargo Book.

CLV. The Master of every Coasting Ship shall keep or cause to be kept a Cargo Book, stating the Names of the Ship, the Master, and the Port to which she belongs, and of the Port to which she is bound on each Voyage, and shall at every Port of Lading enter in such Book the Name of such Port, and an Account of all Goods there taken on board such Ship, stating the Descriptions of the Packages and the Quantities and Descriptions of the Goods therein, and the Quantities and Descriptions of any Goods stowed loose, and the Names of the respective Shippers and Consignees, so far as such Particulars are known to him, and shall at every Port of Discharge of such Goods note the respective Days on which the same or any of them are delivered out of such Ship, and the respective Times of Departure from every Port of Lading and of Arrival at every Port of Discharge; and such Master shall, on Demand, produce such Book for the Inspection of any Officer of Customs, who shall be at liberty to make any Note or Remark therein; and if upon Examination any Package entered in the Cargo Book as containing Foreign Goods shall be found not to contain such Goods, such Package, with its Contents, shall be forfeited, or if any Package shall be found to contain Foreign Goods not entered in such Book, such Goods shall be forfeited; and if such Master shall fail correctly to keep such Cargo Book, or to produce the same, or if at any Time there be found on board such Ship any Goods not entered in such Book as laden, or any Goods noted as delivered, or if any Goods entered as laden or any Goods not noted as delivered be not on board, the Master of such Ship shall forfeit the Sum of Twenty Pounds.

Penalty for false Entries in such Book.

Account previous to Departure to be delivered to Collector.

CLVI. Before any Coasting Ship shall depart from the Port of Lading, an Account, with a Duplicate thereof, in the Form or to the Effect following, and signed by the Master, shall be delivered to the Collector or Comptroller; and the Collector or Comptroller shall retain the Duplicate, and return the original Account, dated and signed by him; and such Account shall be the Clearance of the Ship for the Voyage, and the Transire or Pass for the Goods expressed therein; and if any such Account be false, the Master shall forfeit the Sum of Twenty Pounds.

Coasting Trade.

Port of TRANSIRE.

Ship's Name.	Tonnage.	Port of Registry.	Master's Name.	Whither bound.
Here state the Particulars according to the above Headings.				

Foreign Goods, distinguishing Warehoused Goods removed under Bond.	Quantities of Corn, Grain, Meal, Flour, or Malt.	Goods liable to Duty of Excise or entitled to Drawback thereof.	Here state "Sundry other Goods" or "No other Goods," as the Case may be.
Here state the Particulars according to the above Headings.			

(Signed)

Master.

Cleared the Day of 185 .

(Signed)

Collector or Comptroller.

Commissioners may grant General Transires.

Provided always, that the Commissioners of the Customs may, whenever it shall appear to them expedient, permit General Transires to be given, under such Regulations as they may direct, for the Lading and Clearance and for the Entry and Unlading of any Coasting Ship and Goods, and the same may be revoked by Notice in Writing under the Hand of the proper Officer delivered to the Master or Owner of any Ship, or any of the Crew on board.

Transire to be delivered in Twenty-four Hours after Arrival.

CLVII. Within Twenty-four Hours after the Arrival of any Coasting Ship at the Port of Discharge, and before any Goods be unladen, the Transire, with the Name of the Place or Wharf where the

the Lading is to be discharged noted thereon, shall be delivered to the Collector or Comptroller, who shall note thereon the Date of Delivery; and if any of the Goods on board such Ship be subject to any Duty of Excise, the same shall not be unladen without the Authority or Permission of the proper Officer of Excise; and if any Goods on board any Coasting Ship arriving in *Great Britain* or *Ireland* from the *Isle of Man* shall be the Growth or Produce of that Isle, or Manufactures of that Isle from Materials the Growth or Produce thereof, or from Materials not subject to Duty in *Great Britain* or *Ireland*, or from Materials upon which the Duty shall have been paid and not drawn back in *Great Britain* or *Ireland*, the same shall not be unladen until a Certificate be produced to the Collector or Comptroller, from the Collector or Comptroller at the Port of Shipment, that Proof had there been made in manner required by Law that such Goods were of such Growth, Produce, or Manufacture, as the Case may be; and if any Goods shall be unladen contrary hereto the Master shall forfeit the Sum of Twenty Pounds; and if any Goods shall be laden on board any Ship in any Port or Place in the United Kingdom, and carried coastwise, or having been brought coastwise shall be unladen in any such Port or Place contrary to this or any other Act relating to the Customs, such Goods shall be forfeited.

Coasting Trade.

Inland Revenue Goods.

Goods from the Isle of Man.

Penalty for illegal unlading.

Forfeiture of Goods.

CLVIII. Any Officer of the Customs may go on board any Coasting Ship in any Port or Place in the United Kingdom, or at any Period of her Voyage search such Ship, and examine all Goods on board, and all Goods then lading or unlading, and demand all Documents which ought to be on board such Ship; and the Collector or Comptroller may require that all or any such Documents shall be brought to him for Inspection, and the Master of any Ship refusing to produce such Documents, on Demand, or to bring the same to the Collector or Comptroller when required, shall forfeit and pay the Sum of Twenty Pounds.

Officer may go on board and examine any Coasting Ship.

V. *British Possessions.*

As to particular Provisions relating to the Channel Islands and *British* Possessions abroad:

Absolute Prohibitions.

CLIX. Gunpowder, Ammunition, Arms, or Utensils of War, except from the United Kingdom or any *British* Possession, and base or counterfeit Coin, are hereby absolutely prohibited to be imported or brought, either by Sea or Inland Carriage or Navigation, into the *British* Possessions in *America* and the *Mauritius*.

Restrictions.

Sugar (not being refined in Bond in the United Kingdom) and Molasses until Fifth of *July* One thousand eight hundred and fifty-four, and Rum, such Sugar, Molasses, and Rum being the Produce

British Possessions.

Produce or Manufacture of any *British* Possession within the Limits of the *East India* Company's Charter (except as herein-after provided), or being of Foreign Produce or Manufacture, are hereby prohibited to be imported or brought into any of the *British* Possessions in the Continent of *South America* or in the *West Indies* (the *Bahama* or *Bermuda* Islands not included), or into the *Mauritius*, except to be warehoused for Exportation only, and may also by Her Majesty's Order in Council be prohibited to be imported into the *Bahama* and *Bermuda* Islands; and if any Goods shall be imported or brought into any of the *British* Possessions in *America* or the *Mauritius*, contrary hereto, the same shall be forfeited: Provided always, that it shall be lawful to import into any *British* Possessions in the *West Indies* and *South America*, and into the *Mauritius*, any Sugar or Rum the Produce of any *British* Possession within the Limits of the *East India* Company's Charter into which the Importation of Sugar or Rum the Produce of any Foreign Country, or of any *British* Possession into which Foreign Sugar or Rum may be legally imported, has been prohibited; provided that no such Sugar or Rum shall be so entered unless the Master of the importing Ship shall deliver to the proper Officer of Customs a Certificate of Origin under the Hand of the proper Officer at the Place where the same shall have been taken on board, stating the Name of the District in which such Sugar or Rum was produced, the Quantity and Quality or Strength thereof, as the Case may be, the Number and Denomination of the Packages containing the same, and the Name of the Ship in which they were laden, and of the Master thereof, and of the Officer giving the same; the Shipper of such Sugar or Rum shall likewise certify that there had been produced a Certificate under the Hand and Seal of the Collector or Assistant Collector of the Land or Customs Revenue of the District within which such Sugar and Rum was produced, that such Sugar or Rum was the Produce of such District, and that the Importation into such District of Foreign Sugar and Rum, or Sugar and Rum the Growth of any *British* Possession into which any Foreign Sugar or Rum can be legally imported, is prohibited, and the Master shall subscribe a Declaration that such Certificate was received by him at the Place where the Goods were taken on board, and that they are the Goods therein mentioned.

Sugar and Rum may be imported into the British Possessions in the West Indies and South America, and the Mauritius, in certain Cases.

Foreign Reprints of Books under Copyright prohibited.

CLX. Any Books wherein the Copyright shall be subsisting, first composed or written or printed in the United Kingdom, and printed or reprinted in any other Country, shall be and are hereby absolutely prohibited to be imported into the *British* Possessions abroad: Provided always, that no such Books shall be prohibited to be imported as aforesaid unless the Proprietor of such Copyright, or

or his Agent, shall have given Notice in Writing to the Commissioners of Customs that such Copyright subsists, and in such Notice shall have stated when the Copyright will expire; and the said Commissioners shall cause to be made, and to be publicly exposed at the several Ports in the *British* Possessions abroad, from Time to Time, printed Lists of Books respecting which such Notice shall have been duly given, and all Books imported contrary thereto shall be forfeited; but nothing herein contained shall be taken to prevent Her Majesty from exercising the Powers vested in Her by the Tenth and Eleventh *Victoria*, Chapter Ninety-five, intituled *An Act to amend the Law relating to the Protection in the Colonies of Works entitled to Copyright in the United Kingdom*, to suspend in certain Cases such Prohibition.

British Possessions.

CLXI. If any Articles of Foreign Manufacture, and any Packages of such Articles, bearing any Names, Brands, or Marks being or purporting to be the Names, Brands, or Marks of Manufacturers resident in the United Kingdom, shall be imported into any of the *British* Possessions abroad, the same shall be forfeited.

Foreign Manufactures with British Marks.

CLXII. All Sugar and Molasses, until the Fifth of *July* One thousand eight hundred and fifty-four, and Rum (although the same may be of *British* Plantations), exported from any of the *British* Possessions in *America* into which the like Goods of Foreign Production can be legally imported, shall, upon subsequent Importation from thence into any of the *British* Possessions in *America* or the *Mauritius* into which such Goods being of Foreign Production cannot be legally imported, or into the United Kingdom, be deemed to be of Foreign Production, and shall be liable on such Importation respectively to the same Duties or the same Forfeitures as Articles of the like Description being of Foreign Production would be liable to, unless the same shall have been duly warehoused, and exported from the Warehouse direct to such other *British* Possession, or to the United Kingdom, as the Case may be.

Sugar, &c., though British, deemed Foreign in certain Cases.

CLXIII. No Goods or Passengers shall be carried from one Part of any *British* Possession in *Asia*, *Africa*, or *America* to another Part of the same Possession, except in *British* Ships.

Coasting Trade of the British Possessions.

CLXIV. The Master of every Ship arriving in any of the *British* Possessions in *America* or the Channel Islands, whether laden or in Ballast, shall come directly, and before Bulk be broken, to the Custom House for the Port or District where he arrives, and there make a Report in Writing to the proper Officer of Customs, in the same Form and Manner as herein-before provided on the Arrival of

Ship and Cargo to be reported on Arrival.

Particulars of Report.

 any

British Possessions.

any Ship in the United Kingdom, so far as the same may be applicable; and if any Goods be unladen from any Ship before such Report be made, or if the Master fail to make such Report, or make an untrue Report, or do not truly answer the Questions demanded of him, he shall forfeit the Sum of Fifty Pounds, and if any Goods be not reported such Goods shall be forfeited.

Penalty for false Report.

Entry outwards of Ship or Cargo.

CLXV. The Master of every Ship bound from any *British* Possessions abroad, except the Territories subject to the Government of the Presidencies of *Bengal*, *Madras*, and *Bombay*, shall deliver to the proper Officer of Customs an Entry outwards under his Hand of such Ship, and also subscribe and deliver to such Officer a Content of the Cargo of such Ship, if any, or state that she is in Ballast, as the Case may be, and answer such Questions concerning the Ship, Cargo, if any, and Voyage, as shall be demanded of him, in the same Manner, as nearly as may be, as is prescribed to be observed on the Entry and Departure of any Ship from the United Kingdom, and thereupon the proper Officer shall give to the Master a Certificate of the Clearance of such Ship for her intended Voyage; and if the Ship shall depart without such Clearance, or if the Master shall deliver a false Content, or shall not truly answer the Questions demanded of him, he shall forfeit the Sum of Fifty Pounds.

Penalty for not clearing 50*l.*

Entry of Goods inwards and outwards.

CLXVI. Any Person entering Goods shall deliver to the proper Officer a Bill of Entry thereof, containing the Name of the Ship and of the Master, and of the Place to or from which bound, and the Particulars of the Quality and Quantity of the Goods, and the Packages containing the same, stating whether such Goods be the Produce of the *British* Possessions in *America* or not, and the proper Officer shall thereupon grant his Warrant for the lading or unlading of such Goods.

Entry of Goods to be laden or unladen.

CLXVII. No Goods shall be laden or water-borne to be laden on board any Ship, or unladen from any Ship, in any of the *British* Possessions in *America* or in the Channel Islands, until due Entry shall have been made of such Goods, and Warrant granted for the lading or unlading of the same; and no Goods shall be so laden or water-borne or so unladen in the said Channel Islands, except at some Place at which an Officer of the Customs is appointed to attend the lading and unlading of Goods, or at some Place for which a Sufferance shall be granted by the proper Officer of Customs for the lading and unlading of such Goods, and in the Presence or with the Permission of such Officer; but the Commissioners of Customs may make such Regulations for the carrying coastwise of any Goods, or for the removing

Regulations inwards and outwards.

Regulations coastwise.

removing of any Goods for Shipment in the said Islands, as to them shall appear expedient; and all Goods laden, water-borne, or unladen contrary hereto, or to any Regulations to be so made, shall be forfeited.

British Possessions.

Forfeiture.

CLXVIII. No Goods shall be stated in such Certificate of Clearance of any Ship from any *British* Possessions to be the Produce of such Possession, unless such Goods shall have been so expressed in the Entry outwards of the same; and all Goods not expressly stated in such Certificate of Clearance to be the Produce of such Possession shall, at the Place of Importation in any other such Possession, or in the United Kingdom, be deemed to be of Foreign Production.

Goods not stated to be Produce of British Possession to be deemed of Foreign Production.

CLXIX. Where there is no Officer of Customs, the principal Officer in the Civil Service of Her Majesty, or his Representative, shall be deemed to be the proper Officer for the Performance of all such Duties with respect to such Goods as are hereby required to be performed by the Collector or other Officer of Customs.

If no Officer of Customs resident at the Port of Shipment, Certificate by whom to be granted.

CLXX. Before any Clearing Officer permits any Ship, wholly or in part laden with Timber or Wood Goods, to clear out from any *British* Port in *North America* or in the Settlement of *Honduras* for any Port in the United Kingdom, at any Time after the First Day of *September* or before the First Day of *May* in any Year, he shall ascertain that the whole of the Cargo of such Ship is below Deck, and shall give the Master of such Ship a Certificate to that Effect; and no Master of any Ship so laden shall sail from any of the Ports aforesaid for any Port of the United Kingdom, at any such Time as aforesaid, until he has obtained such Certificate from the Clearing Officer.

Clearing Officers to certify that Cargo is below Deck.

Captains of Ships not to sail without Certificate.

CLXXI. No Master of any Ship in respect of which such Certificate as aforesaid has been obtained shall place, or permit or cause to be placed or remain, upon or above the Deck of such Ship, any Part of the Cargo thereof, until such Ship has arrived at the Port of her Destination: Provided always, that if the Master of any such Ship consider that it is necessary, in consequence of the springing a Leak or of other Damage received or apprehended during the Voyage, to remove any Portion of the Cargo upon Deck, he may remove or cause to be removed upon the Deck of such Ship so much of the Cargo, and may permit the same to remain there for such Time, as he considers expedient; provided also, that the Store Spars or other Articles necessary for the Ship's Use shall not be taken to be the Cargo for the Purposes of this Act.

No Part of the Cargo to be placed on Deck.

Proviso for Removal of Cargo in Cases of Leakage.

Stores not Cargo.

CLXXII. If

British Possessions.

Penalty for Default.

CLXXII. If any Master of any Ship for which such Certificate as aforesaid is required sails or attempts to sail without having obtained such Certificate, or places or permits, or causes to be placed or to remain or be, upon or above the Deck of such Ship, any Part of the Cargo thereof, except in the Cases in which the same is not hereby forbidden, he shall for every Offence forfeit and pay any Sum not exceeding One hundred Pounds.

Dues in Canada on American Boats to be the same as in America on British Boats.

CLXXIII. The same Tonnage Duties shall be paid upon all Ships or Boats of the United States of *America* importing any Goods into either of the Provinces of *Upper* or *Lower Canada* as are or may be for the Time being payable in the United States of *America* on *British* Vessels or Boats entering the Harbours of the State from whence such Goods shall have been imported.

Certain Produce of the State of Maine to be treated as Produce of New Brunswick.

CLXXIV. The Treaty concluded between Her Majesty and the United States of *America*, dated the Ninth Day of *August* in the Year One thousand eight hundred and forty-two, stipulates that all the Produce of the Forest in Logs, Lumber, Timber, Timber Boards, Staves, or Shingles, or of Agriculture, not being manufactured, grown on any of those Parts of the State of *Maine* watered by the River *Saint John* or by its Tributaries, of which Fact reasonable Evidence shall, if required, be produced, shall have free Access into and through the said River and its said Tributaries, having their Source within the State of *Maine*, to and from the Seaport at the Mouth of the River *Saint John*, and to and round the Falls of the said River, either by Boats, Rafts, or other Conveyance, and that when within the Province of *New Brunswick* the said Produce shall be dealt with as if it were the Produce of the said Province; and it being the Intention of the High Contracting Parties to the said Treaty that the aforesaid Produce should be dealt with as if it were the Produce of the Province of *New Brunswick*, the Produce in the said recited Treaty and herein-before described shall, so far as regards all Laws relating to Duties, Navigation, and Customs in force in the United Kingdom or in any of Her Majesty's Dominions, be deemed and taken to be and be dealt with as the Produce of the Province of *New Brunswick*; provided, that in all Cases in which Declarations and Certificates of Production or Origin and Certificates of Clearance would be required in respect of such Produce if it were the Produce of *New Brunswick*, similar Declarations and Certificates shall be required in respect of such Produce, and shall state the same to be the Produce of those Parts of the State of *Maine* which are watered by the River *Saint John* or by its Tributaries.

CLXXV. Whenever

British Possessions.

Newfoundland Fishing Certificates in lieu of Clearance during Fishing Season.

CLXXV. Whenever a Ship shall be cleared out from any Port in *Newfoundland* or in any other Part of Her Majesty's Dominions for the Fisheries on the Banks or Coasts of *Newfoundland* or *Labrador* or the Dependencies thereof, without having on board an Article of Traffic (except only such Provisions, Nets, Tackle, and other Things as are usually employed in and about the said Fishery, and for the Conduct and carrying on of the same), the Master of any such Ship shall be entitled to demand from the principal Officer of Customs at such Port a Certificate under his Hand that such Ship hath been specially cleared out for the *Newfoundland* Fishery, and such Certificate shall be in force for the Fishing Season for the Year in which the same may be granted, and no longer; and upon the First Arrival in any Port in the said Colony of *Newfoundland* or its Dependencies of any Ship having on board any such Certificate as aforesaid, a Report thereof shall be made by the Master of such Ship to the principal Officer of Customs at such Port; and every Ship having such Certificate which has been so reported, and being actually engaged in the said Fishery, or in carrying coastwise, to be landed or put on board any Ship engaged in the said Fishery, any Fish, Oil, Salt, Provisions, or other Necessaries for the Use and Purposes thereof, shall be exempt from all Obligation to make an Entry at or obtain any Clearance from any Custom House at *Newfoundland*, upon Arrival or Departure from any of the Ports or Harbours of the said Colony or its Dependencies, during the Continuance of the Fishing Season for which such Certificate may have been granted; and previously to obtaining a Clearance at the End of such Season for any Voyage at any of such Ports the Master of such Ship shall deliver up the before-mentioned Certificate to the principal Officer of the Customs of such Port: Provided always, that in case any such Ship shall have on board during the Time the same may be engaged in the said Fishery any Goods or Merchandise whatsoever other than Fish, Seals, Oil made of Fish or Seals, Salt, Provisions, and other Things, being the Produce of or usually employed in the said Fishery, such Ship shall forfeit the said Fishing Certificate, and shall thenceforth become and be subject and liable to all such and the same Rules, Restrictions, and Regulations as Ships in general are subject or liable to.

At the End of the Season the Certificate to be delivered up.

Ships trading to forfeit Certificate.

Certificate of Production for Sugar or Spirits.

CLXXVI. Before any Spirits or Sugar, so long as any Benefit attach to the Distinction, shall be shipped for Exportation in any *British* Possession in *America*, or in the Island of *Mauritius*, as being the Produce of such Possession or of the said Island, the Proprietor of the Estate on which such Goods were produced, or his known Agent, shall make and sign a Declaration in Writing before the proper Officer of Customs at the Port of Exportation, or before One

Declaration of Grower.

British Possessions.

of Her Majesty's Justices of the Peace residing in or near the Place where such Estate is situated, declaring that such Goods are the Produce of such Estate, and such Declaration shall set forth the Name of the Estate, and the Description and Quantity of the Goods, and the Packages containing the same, with the Marks and Numbers thereon, and the Name of the Person to whose Charge at the Place of Shipment they are to be sent; and if any Justice of the Peace or other Officer aforesaid shall subscribe his Name to any Writing purporting to be such a Declaration, unless the Person purporting to make the same shall actually appear before him, and shall declare to the Truth of the same, such Justice of the Peace or Officer aforesaid shall forfeit and pay for any such Offence the Sum of Fifty Pounds; and the Person entering and shipping such Goods shall deliver such Declaration to the proper Officer of Customs, and shall make and subscribe a Declaration before him that the Goods which are to be shipped by virtue of such Entry are the same as are mentioned in such first-mentioned Declaration; and the Master of the Ship in which such Goods shall be laden shall, before Clearance, make and subscribe a Declaration before the proper Officer of Customs, that the Goods shipped by virtue of such Entry are the same as are mentioned and intended in such first-mentioned Declaration, to the best of his Knowledge and Belief; and thereupon the proper Officer of Customs shall sign and give to the Master a Certificate of Production, stating that Proof has been made in manner required by Law that such Goods (describing the same) are the Produce of such *British* Possession or of the said Island, and setting forth in such Certificate the Name of the Exporter and of the exporting Ship, and of the Master thereof, and the Destination of the Goods; and if any Spirits or Sugar be imported into any *British* Possession in *America* as being the Produce of some other such Possession or of the said Island, without such Certificate of Production, the same shall be forfeited.

Declaration of Exporter.

Declaration of the Master.

Certificate of Production on Re-exportation from another Colony.

CLXXVII. Before any Sugar or Spirits, so long as any Benefit attach to the Distinction, shall be shipped for Exportation in any *British* Possession in *America* as being the Produce of some other such Possession, the Person exporting the same shall in the Entry outwards state the Place of Production, and refer to the Entry inwards and landing of such Goods, and shall make and subscribe a Declaration before the proper Officer of Customs to the Identity of the same; and thereupon, if such Goods shall have been duly imported with a Certificate of Production within Twelve Months prior to the shipping for Exportation, the proper Officer of Customs shall sign and give to the Master a Certificate of Production founded upon and referring to the Certificate of Production under which such Goods

Goods had been so imported, and containing the like Particulars, together with the Date of such Importation.

British Possessions.

Certificate of Production of East India Sugar.

CLXXVIII. The Shipper of any Sugar the Produce of some *British* Possession within the Limits of the *East India* Company's Charter, about to be exported from any Place in such Possession, may go before the chief Officer of Customs at such Place, or, if there be no such Officer, before the principal Officer of such Place, or the Judge or Commercial Resident of the District, and make and sign a Declaration before him that such Sugar was really and *bonâ fide* the Produce of such *British* Possession, to the best of his Knowledge and Belief; and such Officer, Judge, or Resident is hereby required to grant a Certificate thereof, stating therein the Name of the Ship in which the Sugar is to be exported, and the Destination of the same.

Certificate of Production of Wine.

CLXXIX. The Shipper of any Wine, the Produce of any *British* Possession abroad, which is to be exported from thence, may go before the chief Officer of Customs, and make and sign a Declaration before him that such Wine was really and *bonâ fide* the Produce of such *British* Possessions; and such Officer is hereby required to grant a Certificate thereof, stating therein the Name of the Ship in which the Wine is to be exported, and the Destination of the same.

Certificate of Production of Goods in Guernsey, &c.

CLXXX. Any Person who is about to export from the Channel Islands to the United Kingdom, or to any of the *British* Possessions in *America* or the *Mauritius*, any Goods of the Growth or Produce of any of those Islands, or any Goods manufactured from Materials which were the Growth or Produce thereof, or of the United Kingdom, or of Materials Duty-free in the United Kingdom, or whereupon the Duty has been there paid, and not drawn back, may go before any Magistrate of such Islands, and make and sign before him a Declaration that such Goods, describing the same, are of such Growth or Produce, or of such Manufacture, and such Magistrate shall administer and sign such Declaration; and thereupon the Governor, Lieutenant Governor, or Commander-in-Chief of the Island from which the Goods are to be exported shall, upon the Delivery to him of such Declaration, grant a Certificate under his Hand of the Proof contained in such Declaration, stating the Ship in which and the Port to which the Goods are to be exported; and such Certificate shall be the proper Document to be produced at such Port in proof that the Goods mentioned therein are of the Growth, Produce, or Manufacture of such Island respectively.

CLXXXI. The

British Possessions.

Officers may board Ships.

CLXXXI. The Officer of Customs may go on board any Ship in any Port in any *British* Possession in *America*, and rummage and search such Ship for prohibited Goods, and if there be any Goods on board prohibited to be imported into such Possession they shall be forfeited.

Seized Goods, if unclaimed for a Month, to be condemned, and dealt with accordingly.

CLXXXII. All Vessels, Boats, Goods, and other Things which shall have been or shall hereafter be seized as forfeited in or near any of the *British* Possessions abroad, under this or any Act relating to the Customs, shall be deemed and taken to be condemned, and may be dealt with in the Manner directed by Law in respect to Vessels, Boats, Goods, and other Things seized and condemned for Breach of any such Act, unless the Person from whom such Vessels, Boats, Goods, and other Things shall have been seized, or the Owner of them, or some Person authorized by him, shall, within One Month from the Day of seizing the same, give Notice in Writing to the Person or Persons seizing the same, or to the chief Officer of Customs at the nearest Port, that he claims the Vessel, Boat, Goods, or other Things, or intends to claim them.

Penalties and Forfeitures, how to be recovered in British Possessions abroad.

CLXXXIII. Whenever any Penalty or Forfeiture shall have been incurred in any of the *British* Possessions abroad, under this or any other Act relating to the Customs, such Penalty or Forfeiture shall and may be sued for, prosecuted, recovered, and disposed of in the Court of Record or of Vice Admiralty having Jurisdiction in any *British* Possession where the same may have been incurred or forfeited; but in case there shall be no such Court at such *British* Possession, such Penalty or Forfeiture shall and may be sued for, prosecuted, recovered, and disposed of in the Court of Record or of Vice Admiralty having Jurisdiction in some *British* Possession near to that where such Penalty or Forfeiture may have been incurred; and all such Penalties and Forfeitures shall be deemed to be Sterling Money of *Great Britain*, and paid accordingly.

Application of Penalties.

CLXXXIV. All Penalties and Forfeitures recovered in the Channel Islands or in any of the *British* Possessions abroad under this or any Act relating to the Customs shall be paid into the Hands of the Collector, Comptroller, or other proper Officer of the Port or Place where the same shall have been recovered, and shall be divided, paid, and applied as follows; (that is to say,) after deducting the Charges of Prosecution from the Produce thereof, One Third of the net Produce shall be paid to or for the Use of Her Majesty, One Third to the Governor or Commander-in-Chief of the Colony or Plantation, and the other Third Part to the Seizor, Informer, and Prosecutor; excepting such Penalties and Forfeitures as are from Seizures made at Sea by the Commanders

Commanders or Officers of Her Majesty's Ships of War duly authorized to make Seizures, One Moiety of which, first deducting the Charges of Prosecution from the gross Produce, shall be paid as aforesaid to and for the Use of Her Majesty, and the other Moiety to the Seizor, Informer, and Prosecutor, subject nevertheless to such Distribution of the Produce of the Seizures so made at Sea, as well with regard to the Moiety herein-before granted to Her Majesty as with regard to the other Moiety given to the Seizor, Informer, or Prosecutor, as Her Majesty shall think fit to direct by Order in Council or by Proclamation. *British Possessions.*

CLXXXV. If any Goods or any Ship or Vessel shall be seized as forfeited under this or any Act relating to the Customs, and detained in any of the *British* Possessions in *America*, the Judge or Judges of any Court having Jurisdiction to try and determine such Seizures may, with the Consent of the chief Officer of Customs, order the Delivery thereof, on Security by Bond, with Two sufficient Sureties, to be first approved by such Officer, to answer Double the Value of the same in case of Condemnation; and such Bond shall be taken to the Use of Her Majesty in the Name of the Officer of Customs in whose Custody the Goods or the Ship or Vessel may be lodged, and such Bond shall be delivered and kept in the Custody of the Officer; and in case the Goods or the Ship or Vessel shall be condemned, the Value thereof shall be paid into the Hands of such Collector or Officer, who shall thereupon cancel such Bond. Bail may be given for Seizures

CLXXXVI. No Suit shall be commenced for the Recovery of any Penalty or Forfeiture in the Channel Islands or in any of the *British* Possessions abroad under this or any Act relating to the Customs, except in the Name of some Officer of the Customs or Navy, or other Person employed as herein-before mentioned, or of Her Majesty's Advocate or Attorney General for the Place where such Suit shall be commenced; and if a Question shall arise whether any Person is an Officer of the Customs or Navy, or such other Person as aforesaid, *vivâ voce* Evidence may be given of such Fact, and shall be deemed legal and sufficient Evidence. Suits to be commenced in Name of Officers.

CLXXXVII. No Appeal shall be prosecuted from any Decree or Sentence of any of Her Majesty's Courts in *America* touching any Penalty or Forfeiture imposed by this or any Act relating to the Customs, unless the Inhibition shall be applied for and decreed within Twelve Months from the Time when such Decree or Sentence was pronounced. Limitation of Appeals.

British Possessions.

Security to abide an Appeal from Vice Admiralty.

CLXXXVIII. If any Proceedings shall have been or shall hereafter be instituted in any Court of Vice Admiralty or other competent Court in any of Her Majesty's Possessions abroad, against any Ship, Vessel, Boat, Goods, or Effects, for the Recovery of any Penalty or Forfeiture under this or any Act relating to the Customs, the Execution of any Sentence or Decree restoring such Ship, Vessel, Boat, Goods, or Effects to the Claimant thereof, which shall be pronounced by the said Vice Admiralty Court in which such Proceedings shall have been had, shall not be suspended by reason of any Appeal which shall be prayed and allowed from such Sentence; provided that the Party or Parties Appellate shall give sufficient Security, to be approved of by the Court, to render and deliver the Ship, Vessel, Boat, Goods, or Effects concerning which such Sentence or Decree shall be pronounced, or the full Value thereof, to be ascertained either by Agreement between the Parties, or, in case the said Parties cannot agree, then by Appraisement under the Authority of the said Court, to the Appellant or Appellants, in case the Sentence or Decree so appealed from shall be reversed, and such Ship, Vessel, Boat, Goods, or Effects be ultimately condemned.

Persons authorized to seize under 5 G. 4. c. 113. to have Benefit of this Act.

Application of Penalties.

CLXXXIX. All Persons authorized to make Seizures under an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade*, shall, in making and prosecuting any such Seizures, have the Benefit of all the Provisions granted to Persons authorized to make Seizures under this Act; and all Penalties and Forfeitures created by the said Act, whether pecuniary or specific, shall (except in Cases specially provided for by the said Act) go and belong to such Persons as are thereby authorized to make Seizures, in such Shares, and shall and may be sued for and prosecuted, tried, recovered, distributed, and applied, in such and the like Manner, and by the same Ways and Means, and subject to the same Rules and Directions, as any Penalties and Forfeitures incurred in *Great Britain* and in the *British* Possessions in *America* respectively now go and belong to, and may be sued, prosecuted, tried, recovered, and distributed respectively in *Great Britain* or in the said Possessions, under and by virtue of this Act.

Colonial Laws repugnant to Acts of Parliament void.

CXC. All Laws, Byelaws, Usages, or Customs at this Time or which hereafter shall be in practice, or endeavoured or pretended to be in force or practice, in any of the *British* Possessions in *America*, which are in anywise repugnant to this Act, or to any Act relating to the Customs or to Trade and Navigation, so far as the same shall relate to the said Possessions, are and shall be null and void to all Intents and Purposes whatsoever.

CXCI. No

CXCI. No Goods or Passengers shall be brought, imported, or carried into the United Kingdom from the Channel Islands, nor shall any Passengers or Goods be exported or carried from the United Kingdom to the said Islands, nor shall any Goods or Passengers be carried from any one of the said Islands to any other of them, nor from one Part of any of the said Islands to another Part of the same, except in *British* Ships; and if any Goods or Passengers be brought, imported, exported, or carried coastwise contrary hereto, all such Goods shall be forfeited, and the Master of the Ship in which the same are so brought, imported, exported, or carried shall forfeit the Sum of One hundred Pounds.

British Possessions.

Trade with the Channel Islands

Penalties

CXCII. No Spirits (except Rum of the *British* Plantations) shall be imported into or exported from the Channel Islands or any of them, or be removed from any one to any other of the said Islands, or be carried coastwise from any one Part to any other Part of any one of the said Islands, or shall be shipped in order to be so removed or carried in any Ship of less Burden than Fifty Tons, nor in any Cask or other Vessel capable of containing Liquids not being of the Size or Content of Twenty Gallons at the least; and all Spirits imported, exported, removed, carried, shipped, or waterborne to be so shipped, removed, or carried, contrary hereto, shall be forfeited, together with the Ship and any Boat importing, exporting, removing, or carrying the same: Provided always, that nothing herein contained shall extend to any Spirits imported in Glass Bottles as Part of the Cargo, nor to any Spirits being really intended for the Consumption of the Seamen and Passengers during their Voyage, and not being more in Quantity than is necessary for that Purpose, nor to any warehoused Goods exported from the United Kingdom in Ships of not less than Forty Tons Burden, being regular Traders to those Islands, nor to any Boat of less Burden than Ten Tons, for having on board at any One Time any Foreign Spirits of the Quantity of Ten Gallons or under, such Boat having a Licence from the proper Officer of Customs at either of the Islands of *Guernsey* or *Jersey* for the Purpose of being employed in carrying Commodities for the Supply of the Island of *Sark*, which Licence such Officer of Customs is hereby required to grant without Fee or Reward; but if any such Boat shall have on board at any One Time any greater Quantity of Spirits than Ten Gallons, unless in Casks or Packages of the Size and Content of Twenty Gallons at the least, such Spirits and Boat shall be forfeited.

Spirits from and to the Channel Islands in Ships of Fifty Tons and Casks of Twenty Gallons.

Exception of Spirits in Glass Bottles, or Stores

Licensed Boats of Ten Tons supplying Sark.

CXCIII. No Tobacco, Cigars, or Snuff shall be imported into the Channel Islands in Ships of less than One hundred and twenty Tons Burden, nor unless in Hogheads, Chests, or Cases, each containing not

Cigars, &c may be imported into Channel Islands in Packages

British Possessions.

of the same Weight as may be imported into the United Kingdom.

not less than Two hundred Pounds net Weight of such Tobacco or Snuff, nor unless in Packages each containing not less than One hundred Pounds net Weight of such Cigars, such Tobacco or Snuff not being in any Manner separated or divided within such Package, except Tobacco, Cigars, or Snuff from the United Kingdom, which may be imported from thence into the said Islands in Ships of not less than Fifty Tons Burden, or in Ships regularly trading to those Islands not being of less than Forty Tons Burden, and in Packages of the same Weight and subject to the same Provisions in and under which the like Sort of Goods may respectively be legally imported into the United Kingdom; and all Cigars, Tobacco, or Snuff imported into the said Islands contrary hereto, or which shall be found or discovered to have been on board any Ship or Boat within One League of the Coasts thereof, shall be forfeited, together with the Ship or Boat.

Malta deemed to be in Europe.

CXCIV. The Island of *Malta* and its Dependencies shall be deemed to be in *Europe*.

VI. *Bonds and other Securities.*

As to Bonds and other Securities relating to the Customs:

All Bonds and Securities entered into valid.

CXCV. All Bonds and other Securities entered into by any Person or Persons for the Performance of any Condition, Order, or Matter relative to the Customs or incident thereto shall be valid in Law, and upon Breach of any of the Conditions thereof may be sued and proceeded upon in the same Manner as any Bond expressly directed or given by or under the Provisions of any Act relating to the Customs; and all Bonds relating to the Customs, or for the Performance of any Condition or Matter incident thereto, shall be taken to or for the Use of Her Majesty; and all such Bonds, except such as are given for securing the due Exportation of or Payment of Duty upon warehoused Goods, may, after the Expiration of Three Years from the Date thereof, or from the Time, if any, limited therein for the Performance of the Condition thereof, be cancelled, by or by the Order of the Commissioners of Customs; and all Bonds given under the Provisions of this or any Act relating to the Customs by Persons under Twenty-one Years of Age shall be valid.

Bonds to be taken to the Use of Her Majesty.

Bonds of Minors valid.

How Bonds satisfied may be discharged.

CXCVI. If any Bond given under the Provisions of this or any Act relating to the Customs, or in respect of any Matter under the Control or Management of the Commissioners of Customs, shall have been registered in the Court of Common Pleas in *England*, or in the Office of the Registrar of Judgments in *Ireland*, and the Condition of such Bond shall have been satisfied, the Commissioners of Customs, by Certificate under the Hands of any Two or more of them, may authorize the proper Officer of the said Court or Office of Registrar of

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of Judgments, as the Case may be, to enter up Satisfaction on the Record of such Bond or Obligation; and such Certificate may be in the Form or to the Effect following:

Bonds and other Securities.

This is to certify, that the following Bond has been satisfied and cancelled.

Name *or* Names of the Obligor *or* Obligors.	Date of Bond.	Penalty.	Condition.	When registered.

Given under our Hands, this Day of 185

{ Commissioners of Customs.

To the Senior Master or other proper Officer of the Court of the Common Pleas (*if in England*), *or* to the Registrar of Judgments (*if in Ireland*), (*as the Case may be*).

And upon the Receipt of such Certificate such Officer is required to enter up Satisfaction accordingly, whereupon the Bond or Obligation shall be discharged, and the Lands thereby affected shall be released and exonerated from all Claims in respect thereof.

Exoneration of Estates of Obligors.

CXCVII. When any Bond entered into under the Provisions of this or any Act relating to the Customs, or for the Performance of any Condition, Order, or Matter incident or relative to the Customs, shall have been registered in the Court of Common Pleas in *England*, under the Act of the Second Year of the Reign of Her present Majesty, Chapter Eleven, or in the Office of the Registrar of Judgments in *Ireland*, under the Act of the Seventh and Eighth Years of the Reign of Her said Majesty, Chapter Ninety, and it shall be deemed necessary, in the Discretion of the Commissioners of Customs, to exonerate the whole or any Part of the Lands of any Obligor of such Bond from Liability in respect thereof, the Commissioners of Customs, by Certificate or Certificates under the Hands of any Two or more of them, may, first requiring the Consent of any Co-Obligor, if they shall deem it necessary, exonerate and discharge such Lands or any

Bonds and other Securities.

Form of Certificate of Exoneration.

Part thereof, as the Case may require, and such Certificate may be in the Form or to the Effect following:

'BY a Bond or Obligation, bearing Date the Day of 18 , [*Name of Obligor seeking Exoneration*] of [*Residence and Description of Obligor*] became bound to Her Majesty, Her Heirs and Successors, in the Sum of conditioned as therein mentioned; and the said Bond was, on the Day of 18 , duly recorded in the Court of Common Pleas [*if in England, or* filed in the Office of the Registrar of Judgments, *if in Ireland*] in pursuance of the Act [*state the Act under which the Bond was registered*].

'This is to certify, That all the Estate, Lands, Tenements, and Hereditaments, [*if the whole are to be discharged*] *or* [*here set out the particular Lands, Tenements, and Hereditaments exonerated, if Part only are to be discharged, adding the following Words,*] being Part of the Estate, Lands, Tenements, and Hereditaments, of the said [*Name of Obligor seeking Exoneration*], are wholly exonerated and discharged from all Claims of Her Majesty, Her Heirs or Successors, or of the Commissioners of Customs on Her or their Behalf, in respect of such Bond or Obligation. Given under our Hands, this Day of 185 .

'(Signed) _____ } Commissioners of Her
_____ } Majesty's Customs.'

Certificates to be sufficient Evidence of Exoneration.

And the Lands mentioned in such Certificate or Certificates shall thereupon be held wholly exonerated and discharged from all Liability in respect of such Bond or Obligation, and every such Certificate shall be accepted by all Persons and in all Courts as sufficient Evidence of the Exoneration of the Lands therein described.

VII. *False Declarations.*

As to making and signing false Declarations relating to the Customs, falsely answering Questions, and counterfeiting Documents:

Making false Declarations.

Signing false Documents, and untruly answering Questions.

Counterfeiting and using false Documents.

CXCVIII. If any Person shall make and subscribe any false Declaration, or make or sign any Declaration, Certificate, or other Instrument required by this Act to be verified by Signature only, the same being false in any Particular, or if any Person shall make or sign any Declaration made for the Consideration of the Commissioners of Customs, on any Application presented to them, the same being untrue in any Particular; or if any Person required by this or any other Act relating to the Customs to answer Questions put to him by the Officers of Customs shall not truly answer such Questions; or if any Person shall counterfeit, falsify, or wilfully use when counterfeited or falsified, any Document required by this or any Act relating to the Customs, or by or under the Directions of the Commis-

Commissioners of Customs, or any Instrument used in the Transaction of any Business or Matter relating to the Customs, or shall fraudulently alter any Document or Instrument, or counterfeit the Seal, Signature, Initials, or other Mark of or used by the Officers of the Customs, for the Verification of any such Document or Instrument, or for the Security of Goods, or any other Purpose in the Conduct of Business relating to the Customs, or under the Control or Management of the Commissioners of Customs or their Officers; every Person so offending shall for every such Offence forfeit the Penalty of One hundred Pounds.

False Declarations.

Penalty 100*l.*

VIII. *Smuggling.*

As to the Restrictions on small Craft, and the Regulations for the Prevention of Smuggling:

Restrictions on Small Craft.

CXCIX. The Commissioners of Customs may from Time to Time, by Order under their Hands, make such General Regulations as they shall deem expedient in respect of Vessels and Boats not exceeding One hundred Tons Burden, for the Purpose of prescribing, with reference to the Tonnage, Build, or Description of such Vessels or Boats, the Limits within which the same may be employed, the Mode of Navigation, the Manner in which such Vessels or Boats shall be so employed, and, if armed, the Number and Description of Arms, the Quantity of Ammunition, and such other Terms, Particulars, Conditions, and Restrictions as the said Commissioners may think fit, and also from Time to Time may revoke, alter, or vary such Regulations; and the General Regulations made under any former Act, and in force at the Time of the passing of this Act, shall remain and continue in force until altered, varied, or revoked.

Commissioners may make General Regulations for Vessels and Boats not exceeding One hundred Tons.

CC. Every Ship or Boat which shall be used or employed in any Manner contrary to the Regulations prescribed by the Commissioners of Customs shall be liable to Forfeiture, unless the same shall have been specially licensed by the Commissioners of Customs to be so used or employed, as next herein-after provided.

Vessels and Boats used contrary to Regulations forfeited.

CCI. The Commissioners of Customs may, if they shall so think fit, grant Licences in respect of any Vessels or Boats not exceeding One hundred Tons Burden, upon such Terms and Conditions, and subject to such Restrictions and Stipulations, as in such Licences mentioned, notwithstanding any General Regulations made in pursuance of this Act, whether the said Regulations shall be revoked or not; and if any Vessel or Boat so licensed shall not comply with the Conditions imposed by or expressed in any such Licence, or if such Vessel or Boat shall be found without having such Licence on board, such Vessel or Boat shall be forfeited.

Commissioners of Customs may grant special Licences, on Terms.

CCII. The

Smuggling.

Commissioners may revoke Licences.

CCII. The Commissioners of Customs may revoke, alter, or vary any Licence or Licences granted under any former Act, or which may hereafter be granted under this or any other Act relating to the Customs.

Vessels made use of in Removal of uncustomed or prohibited Goods forfeited.

CCIII. If any such Vessel or Boat shall be used in the Importation, Landing, Removal, Carriage, or Conveyance of any uncustomed or prohibited Goods, the same shall be forfeited, and the Owner and Master of every such Vessel or Boat shall each forfeit and pay a Penalty equal to the Value of such Vessel or Boat, not in any Case exceeding Five hundred Pounds.

Regulations to extend to Channel Islands.

CCIV. All the Regulations which shall be so made by the said Commissioners of Customs relating to Vessels and Boats, and the Power to grant, revoke, or vary such Licences, shall extend to the Channel Islands.

Ships not to sail from Channel Islands without Clearance.

Forfeiture.

CCV. No Ship or Boat belonging wholly or in part to Her Majesty's Subjects shall sail from the Channel Islands without a Clearance, whether in Ballast or having a Cargo; and if with Cargo, the Master shall give Bond to Her Majesty in double the Value of such Cargo for the due landing thereof at the Port for which such Ship or Boat clears; and every such Ship or Boat not having such Clearance, or which, having a Clearance for her Cargo, shall be found light, or to have discharged any Part of her Cargo before Arrival at the Port or Place of Discharge specified in the Clearance, shall be forfeited.

Boats of Vessels to have thereon the Name of Vessel, Port, and Master.

CCVI. The Owner of every Ship belonging wholly or in part to any of Her Majesty's Subjects shall paint or cause to be painted upon the Outside of the Stern of every Boat belonging to such Ship the Name of such Ship and the Port or Place to which she belongs, and the Master's Name withinside the Transom, in White or Yellow Roman Letters, not less than Two Inches in Length, on a Black Ground, on pain of the Forfeiture of every such Boat not so marked, wherever the same shall be found.

Boat not belonging to Ships to have Name of Owner and Port thereon.

CCVII. The Owner of every Boat not belonging to any Ship shall paint or cause to be painted upon the Stern of such Boat, in White or Yellow Roman Letters, of Two Inches in Length, on a Black Ground, the Name of the Owner of the Boat and the Port or Place to which she belongs, on pain of the Forfeiture of such Boat not so marked, wherever the same shall be found.

British Vessels having secret Places for con-

CCVIII. All Ships and Boats belonging wholly or in part to Her Majesty's Subjects having false Bulkheads, false Bows, double Sides or

Smuggling.

or Bottoms, or any secret or disguised Place whatsoever, adapted for the Purpose of concealing Goods, constructed in such Ships or Boats, or having any Hole, Pipe, or Device in or about such Ships or Boats adapted for the Purpose of running Goods, shall be forfeited; and all Foreign Ships or Boats coming into any Port of the United Kingdom having on board any Goods liable to the Payment of Duties, or prohibited to be imported into the United Kingdom, concealed in false Bulkheads, false Bows, double Sides or Bottoms, or in any secret or disguised Place whatsoever, constructed in such Ships or Boats, shall be forfeited.

cealing or Devices for running Goods, and Foreign Vessels having Goods in secret Places, forfeited.

CCIX. If any Goods liable to the Payment of Duties shall be unshipped from any Ship or Boat in the United Kingdom (Customs or other Duties not being first paid or secured), or if any prohibited Goods whatsoever shall be imported or brought into any Part of the United Kingdom, or if any Goods whatever which shall have been warehoused or otherwise secured in the United Kingdom, either for Home Consumption or Exportation, shall be clandestinely or illegally removed from or out of any Warehouse or Place of Security; or if any Goods which are prohibited to be exported shall be put on board any Ship or Boat, with Intent to be laden or shipped for Exportation, or shall be brought to any Quay, Wharf, or other Place in the United Kingdom, in order to be put on board any Ship or Boat for the Purpose of being exported; or if any Goods which are prohibited to be exported shall be found in any Package produced to any Officer of Customs as containing Goods not so prohibited; or if any Goods subject to any Duty or Restriction in respect of Importation, or which are prohibited to be imported into the United Kingdom, shall be found or discovered to have been concealed in any Manner on board any Ship or Boat within the Limits of any Port of the United Kingdom, or shall be found either before or after landing to have been concealed in any Manner on board any such Ship or Boat, within such Limits as aforesaid; then and in every of the foregoing Cases all such Goods shall be forfeited, together with any Goods which shall be found packed with or used in concealing them.

Goods unshipped without Payment of Duty, and prohibited Goods, liable to Forfeiture.

Prohibited Goods shipped or waterborne with Intent to be exported, &c.

Goods concealed on board, and Goods packed therewith, forfeited.

CCX. All Spirits and Tobacco which shall be found removing without a legal Permit or Certificate for the same shall be deemed to be Spirits or Tobacco respectively liable to and unshipped without Payment of Duty, unless the Party in whose Possession the same shall be found or seized shall prove to the contrary.

Spirits and Tobacco found removing to be deemed run.

CCXI. All Goods the Importation of which is in any way restricted, which are of a Description admissible to Duty, and which shall be found or seized in the United Kingdom under any Law

Restricted Goods to be deemed run.

 relating

Smuggling.

relating to the Customs or Excise, shall, for the Purpose of proceeding for the Forfeiture of them, or for any Penalty incurred in respect of them, be described in any Information exhibited on account of such Forfeiture or Penalty as and on the Trial or Hearing thereof be deemed and taken to be Goods liable to and unshipped without Payment of Duties, unless the contrary be proved.

Certain Vessels belonging to Her Majesty's Subjects, or whereof Half the Persons on board are Subjects of Her Majesty, and Foreign Vessels, found within certain Distances of the Coast of the United Kingdom or Channel Islands with certain Goods on board, forfeited, with the Goods.

CCXII. If any Ship or Boat, belonging wholly or in part to Her Majesty's Subjects, or having Half the Persons on board Subjects of Her Majesty, shall be found or discovered to have been within Four Leagues of that Part of the Coast of the United Kingdom which is between the *North Foreland* on the Coast of *Kent* and *Beachy Head* on the Coast of *Sussex*, or within Eight Leagues of any other Part of the Coast of the United Kingdom, or if any Foreign Ship or Boat having One or more Subjects of Her Majesty on board shall be found or discovered to have been within Three Leagues of the Coast of the United Kingdom, or if any Foreign Ship or Boat shall be found or discovered to have been within One League of the Coast of the United Kingdom, or if any Ship or Boat shall be found or discovered to have been within One League of the Channel Islands, any such Ship or Boat so found or discovered, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, any Spirits, not being in a Cask or other Vessel capable of containing Liquids of the Size or Content of Twenty Gallons at the least, or any Tea exceeding Six Pounds Weight in the whole, or any Tobacco or Snuff not being in a Cask or Package containing Two hundred Pounds Weight of Tobacco or Snuff at the least, or being separated or divided in any Manner within any Cask or Package, or any Tobacco Stalks, Tobacco Stalk Flour, Snuff Work, or any Cordage or other Articles adapted and prepared for slinging or sinking small Casks, or any Casks or other Vessels whatsoever of less Size or Content than Twenty Gallons of the Description used for the smuggling of Spirits, then and in every such Case the said Spirits, Tea, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, and Snuff Work, together with the Casks or Packages containing the same, and the Cordage or other Articles, Casks, and other Vessels of the Description aforesaid, and also the Ship or Boat, shall be forfeited.

Any Vessel or Boat arriving within any Port of the United Kingdom or of the Channel Islands having prohibited Goods on board or attached thereto forfeited.

CCXIII. If any Ship or Boat shall be found or discovered to have been within any Port, Bay, Harbour, River, or Creek of the United Kingdom or the Channel Islands, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, any Spirits, not being in a Cask or other Vessel capable of containing Liquids

Liquids of the Size or Content of Twenty Gallons at the least, or any Tobacco or Snuff, not being in a Cask or Package containing Two hundred Pounds Weight of such Tobacco or Snuff at the least, or being separated or divided in any Manner within any Cask or Package, or any Tobacco Stalks, Tobacco Stalk Flour, or Snuff Work, every such Ship or Boat, and such Spirits, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, and Snuff Work, shall be forfeited; but if it shall be made to appear to the Satisfaction of the Commissioners of Customs that such Spirits, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, or Snuff Work were on board without the Knowledge or Privity of the Owner or Master of such Ship or Boat, and without any wilful Neglect or Want of reasonable Care on their Parts, then and in such Case the said Commissioners shall deliver up the said Ship or Boat to the Owner or Master of the same.

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Commissioners may waive Forfeiture.

CCXIV. Nothing herein contained shall extend to render any Ship of One hundred and twenty Tons Burden or upwards liable to Forfeiture on account of any Tobacco coming direct from the *East Indies* or the *Turkish* Dominions, including *Egypt*, if in Packages each containing not less than One hundred Pounds net Weight of such Tobacco; nor on account of any Snuff or Negrohead Tobacco the Produce of and imported direct from the United States of *America*, if in Packages each containing not less than One hundred and fifty Pounds net Weight of such Snuff or Tobacco; nor on account of any Tobacco imported from *Malta* in Packages each containing not less than Eighty Pounds net Weight of such Tobacco; nor on account of any Tobacco the Produce of *Porto Rico*, *Mexico*, *South America*, *St. Domingo*, *Cuba*, the *British* Possessions in *America* and the West Coast of *Africa*, if in Packages each containing not less than Eighty Pounds net Weight of such Tobacco, and imported direct from those Places or from the United States of *America*; nor on account of any Cigars, if in Packages each containing not less than One hundred Pounds net Weight of such Cigars; nor on account of any Cigarillos or Cigarettos, if in Packages each containing not less than Seventy-five Pounds net Weight of such Cigarillos or Cigarettos; nor to render any Ship of Fifty Tons Burden, or upwards liable to Forfeiture on account of any Tea, or of any Spirits in Glass Bottles or Stone Bottles not exceeding the Size of Three Pints each, such Tobacco, Snuff, Cigars, Cigarillos or Cigarettos, Tea, and Spirits being really Part of the Cargo of such Ship; nor to render any Ship liable to Forfeiture on account of any Spirits, Tea, or Tobacco really intended for the Consumption of the Seamen or Passengers on board during their Voyage, and not being more in Quantity than is necessary for that Purpose; nor to render any Ship liable to Forfeiture if really bound from One Foreign

Forfeiture not to extend to Ships and Goods in certain Cases.

Smuggling.

Foreign Port to another Foreign Port, and pursuing such Voyage, Wind and Weather permitting.

Ships in Port with a Cargo, and afterwards found in Ballast and Cargo unaccounted for, forfeited.

CCXV. If any Ship or Boat whatever shall be found within the Limits of any Port of the United Kingdom with a Cargo on board, and such Ship or Boat shall afterwards be found light or in Ballast, and the Master is unable to give a due Account of the Port or Place within the United Kingdom where such Ship or Boat shall have legally discharged her Cargo, such Ship or Boat shall be forfeited.

Certain Ships from which Goods are thrown overboard to prevent Seizure to be forfeited.

CCXVI. Every Ship or Boat belonging wholly or in part to Her Majesty's Subjects, or having on board One or more of Her Majesty's Subjects, which shall be found or discovered to have been within Four Leagues of that Part of the Coast of the United Kingdom which is between the *North Foreland* on the Coast of *Kent* and *Beechy Head* on the Coast of *Sussex*, or within Eight Leagues of any other Part of the Coast of the United Kingdom, from which any Part of the Lading of such Ship or Boat shall have been thrown overboard, or on board which any of the Goods shall be staved or destroyed to prevent Seizure, shall be forfeited.

Ships belonging to Her Majesty's Subjects, or having One Half of the Persons on board Subjects of Her Majesty throwing overboard any Goods during Chase, forfeited, and Persons escaping deemed Subjects.

CCXVII. When any Ship or Boat belonging wholly or in part to Her Majesty's Subjects, or having One Half of the Persons on board being Subjects of Her Majesty, shall be found within One hundred Leagues of the Coast of the United Kingdom, and shall not bring to upon Signal made by any Vessel or Boat in Her Majesty's Service or in the Service of the Revenue, hoisting the proper Pendant and Ensign in order to bring such Ship or Boat to, and thereupon Chase shall be given, if any Person or Persons on board such Ship or Boat so chased shall during the Chase, or before such Ship or Boat shall bring to, throw overboard any Part of her Lading, or shall stave or destroy any Part of such Lading, to prevent Seizure thereof, then and in any such Case such Ship or Boat shall be forfeited; and all Persons escaping from any such Ship or Boat, or from any Foreign Ship or Boat, during any Chase made thereof by any Vessel or Boat in Her Majesty's Service or in the Service of the Revenue, shall be deemed Subjects of Her Majesty, unless the contrary be proved.

Ships to bring to on being chased by Preventive Service. Not bringing to may be fired into.

CCXVIII. If any Ship or Boat liable to Seizure or Examination under this or any Act for the Prevention of Smuggling shall not bring to when required so to do, on being chased by any Vessel or Boat in Her Majesty's Navy having the proper Pendant and Ensign of Her Majesty's Ships hoisted, or by any Vessel or Boat duly employed for the Prevention of Smuggling, having a proper Pendant and Ensign hoisted, it shall be lawful for the Captain, Master, or other Person having

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having the Charge or Command of such Vessel or Boat in Her Majesty's Navy, or employed as aforesaid, (first causing a Gun to be fired as a Signal,) to fire at or into such Ship or Boat, and such Captain, Master, or other Person acting in his Aid or by his Direction, shall be and is hereby indemnified and discharged from any Indictment, Penalty, Action, or other Proceeding for so doing.

Ships may be searched within the Limits of the Ports.

CCXIX. Any Officer or Officers of the Army, Navy, or Marines duly employed for the Prevention of Smuggling, and on Full Pay, or any Officer or Officers of Customs, producing his or their Warrant or Deputation (if required), may go on board any Ship which shall be within the Limits of any Port of the United Kingdom, and rummage and search the Cabin and all other Parts of such Ship for prohibited or uncustomed Goods, and remain on board such Ship so long as she shall continue within the Limits of such Port.

Officers of Customs may, on probable Cause, stop Carts, &c., and search for Goods.

CCXX. Any Officer of Customs or Excise, or other Person acting in his or their Aid, or duly employed for the Prevention of Smuggling, may, upon reasonable Suspicion, stop and examine any Cart, Waggon, or other Means of Conveyance, for the Purpose of ascertaining whether any smuggled Goods are contained therein; and if no such Goods shall be found, the Officer or other Person so stopping and examining such Cart, Waggon, or other Conveyance, having had probable Cause to suspect that such Cart, Waggon, or other Conveyance had smuggled Goods contained therein, shall not, on account of such Stoppage and Search, be liable to any Prosecution or Action at Law on account thereof; and all Persons driving or conducting such Cart, Waggon, or other Conveyance, refusing to stop or allow any such Examination when required in the Queen's Name, shall forfeit the Sum of One hundred Pounds.

Officers authorized by Writ of Assistance may search Houses for uncustomed or prohibited Goods.

CCXXI. Any Officer of Customs, or Person acting under the Direction of the Commissioners of Customs, having a Writ of Assistance issued from the Court of Exchequer, may, in the Daytime, enter into and search any House, Shop, Cellar, Warehouse, Room, or other Place, and in case of Resistance break open Doors, Chests, Trunks, and other Packages, and seize and bring away any uncustomed or prohibited Goods, and put and secure the same in the Queen's Warehouse, and may take with him any Constable, Headborough, Police or other public Officer, duly sworn as such, who may act as well without the Limits of the Parish or other Place for which he shall be so sworn as within such Limits; and all Writs of Assistance so issued shall continue in force during the Reign for which they were granted, and for Six Months afterwards.

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Ships and Boats used in Removal of run Goods to be forfeited.

CCXXII. All Ships, Boats, Carriages, or other Means of Conveyance, together with all Horses and other Animals made use of in the Removal, Carriage, or Conveyance of any Goods liable to Forfeiture under this or any other Act relating to the Customs, shall be forfeited.

Ships, Boats, Goods, and Persons may be seized or detained, and Goods delivered to the proper Officer.

CCXXIII. All Ships and Boats, and all Goods whatsoever, liable to Forfeiture, and all Persons liable to be detained for any Offence under this or any other Act relating to the Customs, shall and may be seized or detained in any Place, either upon Land or Water, by any Officer or Officers of Her Majesty's Army, Navy, or Marines, duly employed for the Prevention of Smuggling, and on Full Pay, or by any Officer or Officers of Customs or Excise, or by any Person having Authority from the Commissioners of Customs or Inland Revenue to seize, or duly employed for the Prevention of Smuggling; and all Ships, Boats, and Goods so seized shall, as soon as conveniently may be, be delivered into the Care of the proper Officer appointed to receive the same; and the Forfeiture of any Ship or Boat shall be deemed to include her Tackle, Apparel, and Furniture, and the Forfeiture of any Goods shall be deemed to include the Package in which the same are found, and all the Contents thereof.

Police Officers seizing Goods to carry them to the Customs Warehouse.

CCXXIV. If any Goods liable to Forfeiture under this or any other Act relating to the Customs shall be stopped or taken by any Police Officer or other Person acting by virtue of any Act of Parliament, or otherwise duly authorized, such Goods shall be carried to the Customs Warehouse next to the Place where the Goods were stopped or taken, and there delivered to the proper Officer appointed to receive the same, within Forty-eight Hours after the said Goods were stopped and taken.

Goods stopped by Police Officers may be retained until Trial of Persons charged with stealing them.

CCXXV. If any such Goods shall be stopped or taken by any Police Officer on suspicion that the same had been feloniously stolen, the said Officer may carry the same to the Police Office to which the Offender is taken, there to remain until and in order to be produced at the Trial of the Offender, and in such Case the Officer is required to give Notice in Writing to the Commissioners of Customs of his having so detained the said Goods, with the Particulars of the same; and immediately after the Trial of such Offender all such Goods shall be conveyed to and deposited in the Customs Warehouse as aforesaid, to be proceeded against according to Law; and in case any Police Officer making Detention of any such Goods shall neglect to convey the same to such Warehouse, or to give the Notice of having stopped the same as before prescribed, such Officer shall forfeit the Sum of Twenty Pounds.

CCXXVI. When-

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Notice to be given by seizing Officer to Owner of Ships or Goods seized, and Seizures to be claimed within One Month.

CCXXVI. Whenever any Ship, Boat, or Goods shall be seized as forfeited under this or any Act relating to the Customs, the seizing Officer shall forthwith give Notice in Writing of such Seizure, and of the Grounds thereof, to the Master or Owner of such Ship, Boat, or Goods, if known, either by delivering the same to him personally, or by Letter addressed to him at his Place of Abode, if known, and transmitted by Post; and all Ships, Boats, or Goods so seized under any Law relating to the Customs shall be deemed and taken to be condemned, and may be sold, in the Manner directed by Law in respect to Ships, Boats, and Goods seized and condemned for Breach of any Law relating to the Customs, unless the Person from whom such Ships, Boats, and Goods shall have been seized, or the Owner of them, or some Person authorized by him, shall, within One Calendar Month from the Day of seizing the same, give Notice in Writing, if in *London*, to the Person seizing the same, or to the Secretary or Solicitor for the Customs, and, if elsewhere, to the Person seizing the same, or to the Collector, Comptroller, or other chief Officer of the Customs at the nearest Port, that he claims the Ship, Boat, or Goods, or intends to claim them.

Commissioners of Treasury or of Customs may restore Seizures.

CCXXVII. The Commissioners of the Treasury or of the Customs may, by any Order made by them for that Purpose, direct any Ship, Boat, Goods, or Commodities whatever seized under this or any Act relating to the Customs to be delivered to the Proprietor thereof, whether Condemnation shall have taken place or not, upon such Terms and Conditions as the said Commissioners respectively may see fit.

Ships and Good seized may be disposed of as Commissioners of Customs direct.

Fishing Implements, &c. seized may be sold, unless claimed as in Sec. 226. of this Act.

CCXXVIII. All Ships and Boats and all Goods whatsoever which shall have been seized and condemned for Breach of any Law relating to the Customs shall be disposed of, as soon as conveniently may be after the Condemnation thereof, in such Manner as the Commissioners of Her Majesty's Customs may direct; and any Nets, Dredges, Instruments, or Implements of Fishing liable to Seizure or Forfeiture, and seized, under the Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Seventy-nine, and the Convention and Articles therein referred to, shall and may be sold or otherwise disposed of, as the Commissioners of Customs may direct, unless claimed within One Month after Seizure thereof, or within One Month after the passing of this Act as to such as may be then under Seizure, such Claim being made in the same Manner as is prescribed by the Two hundred and twenty-sixth Section of this Act with respect to Ships, Boats, or Goods seized under this Act.

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As to Offences committed by and Penalties attaching to Persons:

Persons may be searched if Officers have Reason to suspect smuggled Goods are concealed upon them.

CCXXIX. Any Officer of Customs, or of the Army, Navy, or Marines, duly employed in the Prevention of Smuggling, and on Full Pay, may search any Person on board any Ship or Boat within the Limits of any Port in the United Kingdom or the Channel Islands, or any Person who shall have landed from any Ship or Boat, provided such Officer shall have good Reason to suppose that such Person has any uncustomed or prohibited Goods secreted about his Person; and if any Person shall obstruct any such Officer in going, remaining, or returning from on board, or in searching such Ship or Boat or Person, every such Person shall forfeit the Sum of One hundred Pounds; and if any Passenger or other Person on board any such Ship or Boat, or who may have landed from any such Ship or Boat, shall, upon being questioned by any such Officer whether he has any Foreign Goods upon his Person or in his Possession, deny the same, and any such Goods shall after such Denial be discovered to be or to have been upon his Person or in his Possession, such Goods shall be forfeited, and such Person shall forfeit Treble the Value of such Goods.

Penalty on Persons denying having Foreign Goods about them.

Persons before Search may require to be taken before a Justice or Officer of Customs.

CCXXX. Before any Person shall be searched by any such Officer as aforesaid, such Person may require such Officer to take him or her before any Justice, or before the Collector, Comptroller, or other acting principal Officer of the Customs, who shall, if he see no reasonable Cause for Search, discharge such Person, but if otherwise, direct such Person to be searched, and if a Female she shall not be searched by any other than a Female.

Penalty on Officers for Misconduct.

CCXXXI. Any Officer required to take any such Person before such Justice, Collector, Comptroller, or other superior Officer of Customs shall do so with all reasonable Despatch; but if such Officer shall require any Person to be searched, not having reasonable Ground to suppose that he has uncustomed or prohibited Goods about his Person, such Officer shall forfeit and pay any Sum not exceeding Ten Pounds.

Persons concerned in importing prohibited or restricted Goods, whether unshipped or not, and Persons unshipping, harbouring, or having Custody of such Goods, to forfeit Treble the Value, or 100*l.*

CCXXXII. Every Person who shall be concerned in importing or bringing into the United Kingdom any prohibited Goods, or any Goods the Importation of which is restricted, contrary to such Prohibition or Restriction, and whether the same be unshipped or not; and every Person who shall unship or assist or be otherwise concerned in the unshipping of any Goods which are prohibited or of any Goods which are restricted and imported contrary to such Restriction, or of any Goods liable to Duty, the Duties for which have not been paid or secured; or who shall knowingly harbour, keep,

keep, or conceal, or shall knowingly permit or suffer or cause or procure to be harboured, kept, or concealed, any such Goods, or any Goods which shall have been illegally removed without Payment of Duty from any Warehouse or Place of Security in which they may have been deposited; or to whose Hands and Possession any such Goods shall knowingly come; or who shall assist or be concerned in the illegal Removal of any Goods from any Warehouse or Place of Security in which they shall have been deposited as aforesaid; or who shall be in any way knowingly concerned in conveying, removing, depositing, concealing, or in any Manner dealing with any Goods liable to Duties of Customs, with Intent to defraud Her Majesty of such Duties or any Part thereof; or who shall be in any way knowingly concerned in any fraudulent Evasion or Attempt at Evasion of such Duties or any Part thereof; shall in each and every of the foregoing Cases forfeit either Treble the Value of the Goods or the Penalty of One hundred Pounds, at the Election of the Commissioners of Customs.

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CCXXXIII. Every Person who shall remove any Goods imported into the United Kingdom from any Ship, Quay, Wharf, or other Place previous to the Examination thereof by the proper Officer of Customs, unless under the Care or Authority of such Officer, or who shall remove or withdraw from any Quay, Wharf, or other Place any Goods entered to be warehoused after the landing thereof, so that no sufficient Account is taken thereof by the proper Officer, or so that the same are not duly warehoused, and every Person who shall assist or be otherwise concerned in such Removal or Withdrawal, or shall knowingly harbour, keep, or conceal, or shall knowingly permit or suffer or cause or procure to be harboured, kept, or concealed, any such Goods, or to whose Possession any such Goods shall knowingly come, every such Person shall forfeit either Treble the Value thereof or the Penalty of One hundred Pounds, at the Election of the Commissioners of Customs.

If Goods removed prior to Examination, Penalty upon Parties concerned in the Removal.

CCXXXIV. Every Person who shall unship or be aiding or concerned in the unshipping of any Spirits, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, or Snuff-Work, or of any Tea or Silk, such Tea or Silk being of the Value of Ten Pounds or upwards, liable to Forfeiture under this or any other Act relating to the Customs or Excise, or who shall carry, convey, or conceal, or be aiding, assisting, or concerned in the carrying, conveying, or concealing of any such Spirits, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, or Snuff-Work, or of any such Tea or Silk as aforesaid, shall forfeit for each such Offence Treble the Value of such Goods, or the Sum of One hundred Pounds, at the Election of the Commissioners of Customs;

Persons unshipping or concerned in the carrying away or concealing Spirits or Tobacco to forfeit 100*l.*, and may be detained.

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and every such Person may be detained, to be dealt with as hereinafter directed.

Persons found or discovered to have been on board Vessels liable to Forfeiture for being found within certain Limits of the Coast, subject to be committed to any House of Correction.

CCXXXV. Every Subject of Her Majesty who shall be found or discovered to have been on board any Ship or Boat liable to Forfeiture under this or any Act relating to the Customs for being found or discovered to have been within any of the Distances in this Act mentioned from the United Kingdom or the Channel Islands, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, such Goods or Things as subject such Ship or Boat to Forfeiture, or who shall be found or discovered to have been within any such Distances as aforesaid on board any Ship or Boat from which any Part of the Cargo or Lading shall have been thrown overboard, or staved or destroyed, to prevent Seizure, and every Person, not being a Subject of Her Majesty, who shall be found or discovered to have been on board any Ship or Boat liable to Forfeiture for any of the Causes last aforesaid within One League of the Coast of the United Kingdom or of the Channel Islands, shall, upon being duly convicted of any of the said Offences before any Justice, be adjudged by such Justice, for the First of such Offences to be imprisoned in any House of Correction, and there kept to Hard Labour, for any Term not less than Six nor more than Nine Months, and for the Second of such Offences for any Term not less than Nine nor more than Twelve Months, and for the Third or any subsequent Offence for Twelve Months; and every such Person may be detained, and taken before any Justice, to be dealt with as hereinafter directed.

Persons on board Vessels within Ports of the United Kingdom or the Channel Islands, with Contraband Articles, subject to Penalty of 100*l.*, and Detention.

CCXXXVI. Every Person who shall be found or discovered to have been on board any Ship or Boat liable to Forfeiture under this or any other Act relating to the Customs for being found or discovered to have been within any Port, Bay, Harbour, River, or Creek of the United Kingdom or of the Channel Islands, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, such Goods or Things as subject such Ship or Boat to Forfeiture, or who shall be found or discovered to have been on board any of Her Majesty's Ships or Vessels, or on board any Ship or Vessel in Her Majesty's Employment or Service, or on board of any Foreign Post Office Packet, being a national Vessel, employed in carrying the Mails between any Foreign Country and the United Kingdom, such last-mentioned Ships, Vessels, or Packets being found or discovered to have been within any Port, Bay, Harbour, River, or Creek of the United Kingdom or the Channel Islands, having on board or in any Manner attached thereto,

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or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, any Spirits, not being in a Cask or other Vessel capable of containing Liquids of the Size or Content of Twenty Gallons at the least, or any Tobacco or Snuff, not being in a Cask or Package containing Two hundred Pounds Weight of such Tobacco or Snuff at least, or being separated or divided in any Manner within any Cask or Package, shall forfeit the Sum of One hundred Pounds; and every such Person shall and may be detained, and taken before any Justice, to be dealt with as herein-after directed.

Persons in Her Majesty's Service detained, to be secured on board until Warrant procured.

CCXXXVII. Where any Person or Persons, being Part of the Crew of any of Her Majesty's Ships or Vessels, or of any Ship or Vessel in Her Majesty's Employment or Service, and liable to Detention, shall have been detained under any Law relating to the Customs, such Person or Persons, upon Notice thereof by the detaining Officer to the Commanding Officer of the Ship or Vessel, shall be placed in Security by such Commanding Officer on board such Ship or Vessel, until such detaining Officer shall have obtained a Warrant from a Justice for bringing such Person or Persons before him or any other Justice or Justices, to be dealt with according to Law, which Warrant such Justice is required to grant upon Complaint made to him by such Officer of Customs stating the Offence for which such Person or Persons is or are liable to Detention.

Any Person escaping may afterwards be detained.

CCXXXVIII. If any Person liable to be detained under this or any other Act relating to the Customs shall not be detained at the Time of committing the Offence for which he is so liable, or shall after Detention make his Escape, such Person shall and may at any Time afterwards be detained, and taken before any Justice, to be dealt with as if detained at the Time of committing such Offence.

Magistrates to proceed to Conviction of Smugglers in certain Cases without an Order of Customs.

CCXXXIX. Whenever any Person shall have been detained, and taken before any Justice, for being found or discovered to have been on board any Ship or Boat within any Port, Bay, Harbour, River, or Creek of the United Kingdom or the Channel Islands, such Ship or Boat having on board or having had on board Spirits or Tobacco in such Casks or Packages as would under this or any other Act relating to Customs subject the same to Forfeiture, or for unshipping or for aiding or being concerned in the unshipping of any Spirits or Tobacco liable to Forfeiture under this or any other Act relating to the Customs or Excise, or for carrying, conveying, or concealing, or for aiding or being concerned in the carrying, conveying, or concealing of any such Spirits or Tobacco, and it shall appear to such Justice that the Quantity of Spirits in respect of which such Person has been so detained does not exceed Two Gallons, or that the Quantity

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tity of Tobacco in respect of which such Person has been so detained does not exceed Ten Pounds Weight, such Justice may proceed summarily upon the Case without any Information, and although no Direction shall have been given by the Commissioners of Customs, and convict such Person of such Offence, and adjudge that such Person shall, in lieu of any other Penalty, forfeit any Sum not less than the single Value nor more than Treble the Value of such Goods, including the Duties of Importation due thereon, and in default of Payment of such Sum of Money commit such Person to any of Her Majesty's Gaols for any Time not exceeding One Month.

Where Persons are taken before a Justice for any Offence under any Act relating to the Customs, such Justice may order them to be detained a reasonable Time, or admit to Bail.

CCXL. When any Person shall have been detained for any Offence against this or any other Act relating to the Customs, and taken before any Justice, such Justice may, if he see reasonable Cause, order such Person to be detained in Gaol, or in the Custody of the Police or Constabulary Force, a reasonable Time, to obtain the Order of the Commissioners of Customs or Inland Revenue, and to prepare the necessary Informations, Convictions, and Warrants of Commitment, and at the Expiration of such Time to be brought before him, or any other Justice or Justices, who may then finally hear and determine the Matter; but any Person so detained may be liberated, on giving, by Recognizance, Security to the Satisfaction of such Justice in the Sum of One hundred Pounds, or in the Amount of the Penalty sought to be recovered, to appear at such Time and Place as shall be appointed by such Justice for hearing the Case.

Penalty on Persons offering Goods for Sale under Pretence of being run or prohibited.

CCXLI. If any Person shall offer for Sale any Goods under Pretence that the same are prohibited, or have been unshipped and run on Shore without Payment of Duties, all such Goods (although not liable to any Duties or prohibited) shall be forfeited, and every Person so offering the same for Sale shall forfeit Treble the Value of such Goods.

No Subject of Her Majesty, except Officers, to take up Spirits in small Casks sunk or floating upon the Sea.

CCXLII. No Subject of Her Majesty, other than Officers of the Navy, Customs, or Excise, shall intermeddle with or take up any Spirits, being in Casks of less Content than Twenty Gallons, which may be found floating upon or sunk in the Sea within One hundred Leagues of the United Kingdom; and if any Spirits shall be so intermeddled with or taken up the same shall be forfeited, together with any Ship or Boat in which they are found.

Commissioners of Treasury or Customs may restore Seizures, and mitigate or remit Punishments and Penalties.

CCXLIII. The Commissioners of the Treasury or Customs may mitigate or remit any Penalty or Fine, or any Part of any Penalty or Fine, incurred under this or any Act relating to the Customs, or release from Confinement any Person committed under this or any Act

Act relating to the Customs, on such Terms and Conditions as to them shall appear proper.

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CCXLIV. No Person shall, after Sunset and before Sunrise between the Twenty-first Day of *September* and the First Day of *April*, or after the Hour of Eight in the Evening and before the Hour of Six in the Morning at any other Time of the Year, make, aid, or assist in making any Signal in or on board or from any Ship or Boat, or on or from any Part of the Coast or Shore of the United Kingdom, or within Six Miles of any Part of such Coast or Shore, for the Purpose of giving Notice to any Person on board any Smuggling Ship or Boat, whether any Person so on board of such Ship or Boat be or not within Distance to notice any such Signal; and if any Person, contrary to this Act, shall make or cause to be made, or aid or assist in making, any such Signal, such Person so offending shall be guilty of a Misdemeanor; and any Person may stop, arrest, and detain the Person so offending, and convey him before any Justice, who, if he see Cause, shall commit the Offender to the next County Gaol, there to remain until delivered by due Course of Law; and it shall not be necessary to prove on any Indictment or Information in such Case that any Ship or Boat was actually on the Coast; and the Offender, being duly convicted, shall, by Order of the Court before whom he shall be convicted, either forfeit the Penalty of One hundred Pounds, or, at the Discretion of such Court, be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for any Term not exceeding One Year.

Persons signalling Smuggling Vessels may be detained, and forfeited 100*l.*, or be kept to Hard Labour for One Year.

CCXLV. If any Person be charged with or indicted for having made or caused to be made, or for aiding or assisting in making, any such Signal as aforesaid, the Burden of Proof that such Signal so charged as having been made with Intent and for the Purpose of giving such Notice as aforesaid was not made with such Intent and for such Purpose shall be upon the Defendant against whom such Charge is made or such Indictment is found.

Proof of a Signal not being intended on Defendant.

CCXLVI. Any Person whatsoever may prevent any Signal being made as aforesaid, and may go upon any Lands for that Purpose, without being liable to any Indictment, Suit, or Action for the same.

Any Person may prevent Signals, and enter Lands for that Purpose.

CCXLVII. All Persons assembled, to the Number of Three or more, for the Purpose of unshipping, carrying, conveying, or concealing any Spirits or Tobacco, or any Tea or Silk (such Tea or Silk being of the Value of Ten Pounds or more), liable to Forfeiture under this or any other Act relating to the Customs or Excise, and every Person

Persons assembling, to the Number of Three or more, to run Spirits, Tobacco, &c., or obstructing Officers, to be sent to House

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of Correction to Hard Labour.

Person who shall by any Means procure or hire, or shall depute or authorize any other Person to procure or hire, any Person or Persons to assemble for the Purpose of being concerned in the landing or unshipping, or carrying, conveying, or concealing any Goods which are prohibited to be imported, or the Duties for which have not been paid or secured, and every Person who shall obstruct any Officer or Officers of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, or any Officer or Officers of Customs or Excise, or any Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, in the Execution of his or their Duty, or in the due seizing of any Goods liable to Forfeiture by this Act or any Act relating to the Customs, or who shall rescue, attempt or endeavour to rescue, or cause to be rescued, any Goods which have been duly seized, or who shall before or at or after any Seizure stave, break, or otherwise destroy, or attempt or endeavour to break, stave, or otherwise destroy, any Goods, to prevent the Seizure thereof or the securing of the same, shall, upon being duly convicted of any of the said Offences before any Justice of the Peace, be adjudged by such Justice for the First Offence to be imprisoned in any House of Correction, and there kept to Hard Labour, for any Term not less than Six nor more than Nine Months, and for the Second Offence for any Term not less than Nine nor more than Twelve Months, and for the Third or any subsequent Offence for Twelve Months.

Three or more armed Persons assembled to land or rescue smuggled Goods guilty of Felony.

CCXLVIII. If any Persons, to the Number of Three or more, armed with Firearms or other offensive Weapons, shall, within the United Kingdom, or within the Limits of any Port, Harbour, or Creek thereof, be assembled in order to be aiding and assisting in the illegal landing, running, or carrying away of any prohibited Goods, or any Goods liable to any Duties which have not been paid or secured, or in rescuing or taking away any such Goods as aforesaid after Seizure from the Officer of the Customs, or other Officer authorized to seize the same, or from any Person or Persons employed by or assisting them, or from the Place where the same shall have been lodged by them, or in rescuing any Person who shall have been apprehended for any Offence made Felony by this or any Act relating to the Customs, or in the preventing the Apprehension of any Person who shall have been guilty of such Offence, or in case any Persons, to the Number of Three or more, so armed as aforesaid, shall, within the United Kingdom, or within the Limits of any Port, Harbour, or Creek thereof, be so aiding or assisting, every Person so offending, and every Person aiding, abetting, or assisting therein, shall, being thereof convicted, be adjudged guilty of Felony, and shall be liable, at the Discretion of the Court before which he shall be convicted, to be transported beyond the Seas for the Term of his natural Life, or for

for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

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Persons shooting at Boats belonging to Navy or Revenue Service, guilty of Felony.

CCXLIX. If any Person shall maliciously shoot at any Vessel or Boat belonging to Her Majesty's Navy, or in the Service of the Revenue, within One hundred Leagues of any Part of the Coast of the United Kingdom, or shall maliciously shoot at, maim, or wound any Officer of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or any Officer of Customs or Excise, or any Person acting in his Aid or Assistance, or duly employed for the Prevention of Smuggling, in the Execution of his Office or Duty, every Person so offending, and every Person aiding, abetting, or assisting therein, shall, upon Conviction, be adjudged guilty of Felony, and shall be liable, at the Discretion of the Court before which he shall be convicted, to be transported beyond the Seas for the Term of his natural Life, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Any Person, in company with Four others, having smuggled Goods, or with One other, armed or disguised, guilty of Felony.

CCL. If any Person, in company with more than Four others, be found with any Goods liable to Forfeiture under this or any other Act relating to the Customs or Excise, or in company with One other Person, within Five Miles of the Sea Coast or of any Tidal River, and carrying offensive Arms or Weapons, or disguised in any way, every such Person shall be adjudged guilty of Felony, and shall, on Conviction of such Offence, be transported as a Felon for the Term of Seven Years.

Persons assaulting Officers by Force or Violence may be transported.

CCLI. If any Person shall, by Force or Violence, assault, resist, or obstruct any Officer of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or any Officer of Customs or Excise, or other Person duly employed for the Prevention of Smuggling, in the due Execution of his or their Duty, or any Person acting in his or their Aid, every Person so offending, being thereof convicted, shall be transported for Seven Years, or sentenced to be imprisoned in any House of Correction or Common Gaol, and kept to Hard Labour, for any Term not exceeding Three Years, at the Discretion of the Court before whom such Offender shall be tried and convicted as aforesaid.

Commanding Officers may haul their Vessels on shore without being liable to Suit.

CCLII. The Commanding Officer for the Time being of any Vessel or Boat employed for the Prevention of Smuggling may haul any such Vessel or Boat upon any Part of the Coasts of the United Kingdom, or the Shores, Banks, or Beaches of any River, Creek, or Inlet of the same, (not being a Garden or Pleasure Ground, or Place ordinarily

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ordinarily used for any Bathing Machine or Machines,) which shall be deemed most convenient for that Purpose, and moor any such Vessel or Boat on such Part of the aforesaid Coasts, Shores, Banks, and Beaches below High-water Mark, and over which the Tide flows on ordinary Occasions, and to continue such Vessel or Boat so moored as aforesaid for such Time as the said Commanding Officer shall deem necessary and proper; and such Commanding Officer, or Person or Persons acting under his Direction, shall not be liable to any Indictment, Action, or Suit for so doing.

Officers of Army, &c. may patrol Coasts without being liable to Suit.

CCLIII. Any Officer of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or any Officer of Customs or Excise, or any Person acting in his or their Aid, or duly employed for the Prevention of Smuggling, when on Duty, may patrol upon and pass freely along and over any Part of the Coasts of the United Kingdom, or any Railway, or the Shores or Banks of any River, Creek, or Inlet of the same (not being a Garden or Pleasure Ground); and any such Officer or Person so patrolling shall not be liable to any Indictment, Action, or Suit for so doing.

Compensations and Rewards.

As to Compensations and Rewards:

Officers wounded to be provided for, &c.

CCLIV. If any Officer or Seaman employed in the Service of the Customs or Inland Revenue shall be killed, maimed, wounded, or in any way injured in the due Execution of his Office, or if any Person acting in his Aid, or duly employed for the Prevention of Smuggling, shall be so killed, maimed, wounded, or in any way injured while so aiding such Officer or Seaman, or so employed, the Commissioners of Customs or Inland Revenue respectively may, with the Sanction of the Commissioners of the Treasury, make such Provision for such Officer or Person, or for the Widows and Families of such as shall be killed, as they may see fit.

Rewards for detaining Smugglers.

CCLV. The Commissioners of Customs may award to any Officer or other Person detaining any Person liable to Detention under this or any other Act relating to the Customs, if convicted, such Reward as they may think fit, not exceeding the Sum of Twenty Pounds for each Person.

Rewards out of Penalties.

CCLVI. The Commissioners of Customs may order such Reward as they see fit out of any pecuniary Penalty or Composition to any Officer or other Person by whose Means the same is recovered.

Rewards to Officers making Seizures.

The Treasury or Commission-

CCLVII. The Commissioners of Customs may order to be paid in respect of any Seizure made under this or any Act relating to the Customs, to the Person or Persons making the same, such Rewards as

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as they may see fit, not exceeding the Value of the Goods or Things so seized, and for this Purpose the Value of Spirits and Tobacco seized as aforesaid shall be deemed and taken to be such as the Lords of the Treasury or the Commissioners of Customs may think fit.

ers of Customs to fix the Value of Spirits and Tobacco.

CCLVIII. In all Cases where any Penalty the Amount of which is to be determined by the Value of any Goods is directed to be sued for under any Act relating to the Customs or Excise, such Value shall, as regards Proceedings in any Court or before Justices, be estimated and taken according to the Rate and Price for which Goods of the like Kind but of the best Quality upon which the Duties of Importation shall have been paid were sold at or about the Time of the Offence, or according to the Rate and Price for which the like sort of Goods were sold in Bond at or about the Time of the Offence with the Duties due thereon added to such Rate or Price in Bond, except as to Tobacco Stalks, Tobacco Stalk Flour, and Snuffwork, the Value of which shall, for the Purpose of any Suit or Proceeding under this or any Act relating to the Customs, be estimated at the same Rate as that of unmanufactured Tobacco upon which the Duties of Importation shall have been paid.

How Value is to be ascertained.

CCLIX. Every Reward or Share of any such Seizure, or of the Value thereof, payable to any Officer or Officers, Non-commissioned Officers, Petty Officers, Seamen, or Privates of Her Majesty's Army, Navy, or Marines, or acting under the Orders of the Lord High Admiral or Commissioners of the Admiralty, shall be divided and distributed in such Proportions, and according to such Rules, Regulations, and Orders, as Her Majesty shall by Her Order or Orders in Council or by Her Royal Proclamation in that Behalf be pleased to direct and appoint.

All Rewards and Seizures payable to Officers of Army, Navy, or Marines to be regulated by Order in Council.

CCLX. The Commissioners of Customs or Inland Revenue respectively may, in case of any Seizure of Ships, Boats, or Goods, or of the Apprehension of any Parties, under this or any other Act relating to the Customs, direct the Distribution of the Seizor's Share of such Ships, Boats, or Goods, or of any Penalties or Rewards that may be recovered on account of any Seizure, so that any other Person through whose Information or Means such Seizure shall have been made or Penalty recovered or Party apprehended, and who may by them be deemed to be so entitled, may participate in such Proportions as the said Commissioners shall respectively deem expedient.

Commissioners may distribute Officers Shares of Seizure so as to reward Persons not actually present.

CCLXI. If any Person shall discover any Spirits in Casks of less Content than Twenty Gallons found floating upon or sunk in the Sea, and shall give Information to any Officer of the Customs, or

Rewards to Persons giving Information of Goods floating or sunk in the Sea.

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or other Person duly authorized to make Seizure of such Spirits, so that Seizure shall be made of the same, the Person giving such Information shall be entitled to and shall receive such Reward as the Commissioners of Customs may direct.

Collusive Seizures.

As to collusive Seizures:

Penalty on Officers and Persons making collusive Seizures, or taking Bribes, and on Persons offering them.

CCLXII. If any Officer of Customs or Excise, or of the Army, Navy, or Marines, duly employed for the Prevention of Smuggling, and on Full Pay, or any other Person or Persons whomsoever duly employed for the Prevention of Smuggling, shall make any collusive Seizure, or deliver up, or make any Agreement to deliver up or not to seize any Vessel or Boat, or any Goods liable to Forfeiture, or shall take any Bribe, Gratuity, Recompence, or Reward for the Neglect or Nonperformance of his Duty, or conspire or connive with any Person to import or bring into the United Kingdom or the Channel Islands, or any of the *British* Possessions abroad, or be in any way concerned in the Importation or bringing into the United Kingdom, or the said Islands or Possessions, of any Goods prohibited to be imported or liable to Duties of Customs for the Purpose of seizing any Ship, Boat, or Goods, and obtaining any Reward for such Seizure or otherwise, every such Officer or other Person shall forfeit for every such Offence the Sum of Five hundred Pounds, and be rendered incapable of serving Her Majesty in any Office whatever, either civil or military; and every Person who shall give or offer, or promise to give or procure to be given, any Bribe, Recompence, or Reward to, or shall make any collusive Agreement with, any such Officer or Person as aforesaid to induce him in any way to neglect his Duty, or to do, conceal, or connive at any Act whereby any of the Provisions of any Act of Parliament relating to the Customs may be evaded, shall forfeit the Sum of Two hundred Pounds.

XI. *Legal Proceedings generally.*

As to the Course of Procedure for recovering Penalties and enforcing Forfeitures under this or any other Act relating to the Customs:

Jurisdiction. Penalties and Forfeitures, how to be sued for.

CCLXIII. In all Suits or Proceedings at the Suit of the Crown for the Recovery of any Duty or Penalty, or the Enforcement of any Forfeiture under this or any Act relating to the Customs, the Parties thereto shall be entitled to recover Costs against each other in the same Manner as if such Suits or Proceedings were conducted and had between Subject and Subject, and the like Amendments may be made in all such Proceedings by the Judge or Court as may now be made in Civil Actions; and all Duties, Penalties, and Forfeitures incurred under or imposed by this or any other Act relating to the Customs, and the Liability to Forfeiture of any Goods seized under the Authority thereof, shall and may, except as is herein-after provided,

vided, be sued for, prosecuted, determined, and recovered by Action of Debt, Information, or other appropriate Proceeding in the Superior Courts of Common Law at *Westminster*, *Dublin*, or *Edinburgh*, or in the Royal Courts of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, in the Name of the Attornies General for *England* or *Ireland* respectively, or of the Lord Advocate of *Scotland*, or of some Officer of Customs or Excise, and for the Recovery or Enforcement of any Penalty or Forfeiture, by Information in the Name of some Officer of Customs or Excise, before One or more Justice or Justices in the United Kingdom, or before any Governor, Deputy Governor, or Deemster, or other Magistrate, in the *Isle of Man* and the Channel Islands: Provided always, that where any Goods shall have been seized in the United Kingdom, with regard to which the Amount of Duties or Penalties claimed by the Crown shall not exceed the Sum of One hundred Pounds, such Seizure or Penalties shall not be sued for or enforced in any of the said Superior Courts, but by Information before any One or more Justice or Justices, Governor, Deputy Governor, Deemster, or other Magistrate as aforesaid, or by Information, Suit, or other appropriate Proceeding in the County Courts, if in *England*, the Assistant Barristers Courts, if in *Ireland*, and the Sheriffs Courts, if in *Scotland*, for which Purposes the said Courts respectively shall have Jurisdiction in such Cases to the Extent of One hundred Pounds, with Power to enforce or mitigate any Penalty sought to be recovered, unless upon Consideration of the Facts and Circumstances of, or the Questions of Law involved in, any Case so excepted from the Jurisdiction of the Superior Courts of Common Law, it shall appear to the Commissioners of Customs desirable that such Case should be tried in a Superior Court, in which Case the said Commissioners shall certify their Opinion that it is a proper Case to be tried in the said Superior Courts to the Commissioners of the Treasury, who may thereupon make and issue an Order to the said Commissioners of Customs, authorizing them to bring such Case in such Superior Court, and the Purport of such Order shall be endorsed on any Process to be issued out of such Court in such Case at the Suit or Prosecution of the Crown in the Words following: "By Order of "the Commissioners of Her Majesty's Treasury, this Case appearing "to them to be a fit Case to be tried in Her Majesty's Court of "Exchequer," and the same shall confer Jurisdiction on such Superior Court to try such Case.

Legal Proceedings generally.

Proviso where the Duties and Penalties sought to be recovered shall not exceed 100*l.*

Where Suits for Recovery of Duties and Penalties, though not exceeding 100*l.*, may be prosecuted before a Superior Tribunal.

CCLXIV. It shall be optional for the Defendant in any Case, except as herein-after provided, where the Amount of Duties or Penalties claimed by the Crown shall not exceed the Sum of One hundred Pounds, to require that, instead of proceeding against him on

Proceedings at the Option of Defendant to be instituted in Superior Courts, though the Sum claimed

Legal Proceedings generally.

for Duties and Penalties does not exceed 100*l.*

on account thereof by Information before any Justice or Justices as aforesaid, the Proceedings shall be brought in a Superior Court of Law, and upon the Request in Writing of such Defendant, delivered to the Officer by whom the Goods shall have been seized, or to the Solicitor of Customs, such Proceedings may be instituted in a Superior Court, for which Purpose, on Notice by the Defendant to the Justice or Justices if Proceedings have been already commenced before them, such Justice or Justices shall adjourn the Case for One Week to afford the Defendant an Opportunity of delivering such Request; and in order to confer Jurisdiction on such Superior Court it shall be sufficient to state such Request on the Back of any Process to be issued in such Case, in the Words following, "On "the Requisition of Defendant, who prefers a Trial by One of "Her Majesty's Superior Courts of Law to a Trial before Justices," and such Endorsement on the Process, signed by the Solicitor of Customs, shall be Evidence to the Court of the same, notwithstanding the Provisions herein-before contained: Provided that in any Case where Proceedings shall have been already commenced before any Justice or Justices, and the Defendant shall be under Bail or Recognizance to appear before such Justice or Justices, or in Custody for Default of such Bail, such Proceedings shall not be removed, but such Justice or Justices shall hear and determine the Case.

Justices Jurisdiction in Consent where the Sums claimed shall exceed 100*l.*

CCLXV. If any Suit or Prosecution for the Recovery or Enforcement of any Penalty or Forfeiture, in which the Amount of Duties or Penalties claimed by the Crown shall exceed the Sum of One hundred Pounds, shall have been commenced in any of the said Superior Courts, the Commissioners of Customs, at their Discretion, may, on the Defendant's Request in Writing to the Solicitor of Customs, order such Suit or Prosecution to be brought by Information before any Justice or Justices, whereupon such Suit or Prosecution in such Superior Court shall cease, and on the Production of an Order of any Two or more Commissioners of Customs directing the bringing such Proceeding before such Justice or Justices, they shall receive such Information, and in due Course proceed to hear and determine the same.

Where Proceedings in the Court of Exchequer by Capias is waived in favour of the Subject, Justices may issue Warrant and admit to Bail.

CCLXVI. Whenever the Commissioners or the proper Officer of Customs shall in any Case proceed by Information against any Person or Persons for any Offence under this or any other Act relating to the Customs before any Justice or Justices, instead of instituting such Proceedings in the Court of Exchequer, and in which Case, if such Proceedings were had in such Court, a Capias might issue for the Purpose of arresting and holding the Offender or Offenders

Offenders to Bail, any such Justice or Justices shall and may, on sufficient Information on Oath being given before him that the Offence charged has been committed, issue his or their Warrant to apprehend and bring such Offender or Offenders before him or any other Justice, and on his or their being so brought to require him or them to give by Recognizance Security to the Satisfaction of any such Justice in such Amount as he may deem sufficient to appear before him or any other Justice or Justices at a Time and Place appointed by him or them for the Hearing of the Case, and in the meantime in default of such Security to commit such Offender or Offenders to Gaol, or to the Custody of the Police or other Constabulary Force.

Legal Proceedings generally.

CCLXVII. When by any Act relating to the Customs a Penalty jointly and severally incurred by any Number of Persons, such Persons may be proceeded against jointly by One Information, or severally by separate Informations, as Her Majesty's Attornies General for *England* and *Ireland*, and as the Lord Advocate of *Scotland*, or the Commissioners of Customs, may deem expedient; and in case of a Proceeding against such several Persons by joint Information for Recovery of the Penalty or Penalties so severally incurred by each, the Penalty or Penalties shall be recoverable against each, notwithstanding that any One or other of such Persons so jointly proceeded against may have allowed Judgment to go by Confession or Default, or that the Penalty adjudged to be paid by any One or other of the Defendants so jointly sued may be for a different Amount from that of the Penalty in which any One or other of such several Persons may be convicted, or that any One or other of such several Persons so jointly prosecuted may be acquitted, and no Judgment on any such Information shall be reversed or avoided, or Error in Law alleged therein, on the Ground of any such Judgment being obtained by Confession, or Default of any of the Persons, nor on account of any Difference in the Amount of the Penalty or Penalties in which any One or more of such Persons may be convicted, or the Acquittal of any such Persons; but every such Judgment shall be valid and effectual against any or all of the said several Persons so jointly proceeded against, and for the full Amount of the Penalty or Penalties in which such Person or Persons shall have been severally or respectively convicted.

Penalties joint and several may be sued for by joint and several Information.

CCLXVIII. When any Verdict shall pass against any Person in any Court of Record for any Offence for which any pecuniary Penalty shall have been inflicted by any Act relating to the Customs, and it shall be made to appear that such Person had been previously convicted of any similar Offence, the presiding Judge or Judges may order that such Person shall, in lieu of Payment of any Penalty, be imprisoned in any House of Correction for a Period not less than Six nor

Persons previously convicted may, on Verdict, be imprisoned in House of Correction.

Legal Proceedings generally.

nor more than Twelve Months, and the Governor or Keeper of such House of Correction is hereby required to receive any Person committed under such Order.

Proceedings before Justices.

As to Proceedings before Justices for Recovery of Penalties and Forfeitures, and the Prosecution of Offences:

Informations Convictions, &c. to be in Form, &c. in Schedule.

CCLXIX. All Informations exhibited before any Justice or Justices for any Offence committed against or Forfeiture incurred under this or any other Act relating to the Customs, and all Summonses, Convictions, and Condemnations for such Offences, and Forfeitures, and all Warrants of any Justice or Justices founded upon such Convictions, may be in the Form or to the Effect in Schedule (B.) to this Act; and the Form of Information given in the said Schedule, and the Counts therein contained, with reference to any Offences created by or punishable under the several Sections of this Act to which the same or any of them relate, shall be applicable to and sufficient for all Purposes in the Prosecution of such Offences and Forfeitures; and where Two or more Counts are given upon the same Section those Counts may be used which apply most nearly to the Circumstances of the Case; and any One or more of the said Counts may be included in the same Information together with any other Count or Counts; and in any Case or for any Offence or Forfeiture for which no Count is given in the said Schedule, such Count or Counts may be substituted or added as Circumstances may require; and every such Information and every Conviction and Warrant of Commitment or Condemnation for such Offence or Forfeiture shall be deemed valid and sufficient in which the Offence or Forfeiture is set forth either in the Words of the Act or Acts by which the Penalty for such Offence has been inflicted or under which any Forfeiture has been incurred, or in the Words of the Information by this Act prescribed, and where in any such Forms the Word "Customs" is used to describe the Commissioners or Officers of Customs, the Words "Inland Revenue" or "Excise" may be substituted, as the Case may require, and the like Counts shall be applicable to and sufficient for the like Purposes, and be used in like Manner in any Information filed in any Court having Jurisdiction in such Cases under this or any Act relating to the Customs; and no Conviction, Warrant of Commitment, or Condemnation shall be held void by reason of any Defect therein; and no Party shall be entitled to be discharged out of Custody on account of such Defect, provided it be alleged in such Warrant that the said Party has been convicted of such Offence, and that it shall appear to the Court or Judge before whom such Warrant is returned that such Conviction proceeded upon good and valid Grounds; and every such Warrant may be executed by any Officer of Customs, and in any Part of the United Kingdom, without further Endorsement or Sanction

Sanction than that of the Justice issuing the same; and no Objection shall be taken or allowed to any Information, Complaint, or Summons for any alleged Defect therein in Substance or in Form, or for any Variance between such Information, Complaint, or Summons and the Evidence adduced on the Part of the Informant or Complainant at the hearing of such Information or Complaint.

Legal Proceedings generally.

CCLXX. Upon the exhibiting of any Information or Complaint before any Justice or Justices for any Offence against this or any Act relating to the Customs, for which Offence the Party charged is not liable to be detained, or by which Information any Penalty or Forfeiture shall be sought to be recovered, or any Punishment of Hard Labour sought to be inflicted, and where such Information shall have been exhibited before such Justice or Justices within Three Years next after the Date of the Offence committed, such Justice or Justices or any other Justice or Justices having Jurisdiction in that Behalf from Time to Time and at any Time afterwards may issue his or their Summons directed to such Party, stating shortly the Matter of such Information or Complaint, and requiring him personally to appear at a certain Time and Place before the same or any other Justice or Justices to answer to the said Information or Complaint, and to be further dealt with according to Law; and every such Summons shall be served by any Officer of Customs or Excise, or by any Person to whom the same shall be delivered for that Purpose, upon the Party to whom it is so directed, by delivering the same to the Party personally, or by leaving the same at his last known Place of Abode, or on board any Ship or Vessel to which such Party may belong or may have lately belonged, and every such Summons so served shall be deemed sufficiently served.

Justices may summon Offender.

Summons to be served personally, or by leaving same at Place of Abode or on board Ship.

CCLXXI. If on the Day and at the Place appointed in such Summons as aforesaid the Party so summoned shall appear before the Justice or Justices who are to hear and determine such Complaint or Information, then such Justice or Justices shall proceed to hear and determine the same, and upon Proof of the Matter contained in such Complaint or Information, either upon the Confession of the Party or upon the Oath of One or more credible Witness or Witnesses, shall convict the Party charged in such Complaint or Information.

On Attendance of the Party the Day and at Place appointed, Justices may hear and determine the Case.

CCLXXII. If upon the Day and at the Place appointed in and by such Summons for the Appearance of the Party so summoned, in case he shall fail to appear in obedience to such Summons, then and in every such Case, if it be proved upon Oath or Affirmation to the Justice or Justices then present that such Summons was duly served upon such Party a reasonable Time before the Time appointed for his Appearance

If Party summoned to answer do not appear, Justice to proceed as if he had appeared.

Legal Proceedings generally.

Appearance as aforesaid, it shall be lawful for such Justice or Justices to proceed *ex parte* to the Hearing of such Information or Complaint, and to adjudicate thereon as fully and effectually to all Intents and Purposes as if such Party had personally appeared before him or them in obedience to such Summons.

Justices may condemn Goods liable to Forfeiture.

CCLXXIII. When any Information shall have been exhibited before any Justice for the Forfeiture of any Goods whatsoever seized under this or any Act relating to the Customs, it shall be lawful for such Justice and he is hereby required to summon the Party to whom such Goods belonged, or from whom they were seized, to appear before him or any other Justice or Justices, and such Summons directed to the Party being left at his last Place of Abode, or on board any Ship to which such Party may belong or have lately belonged, shall be deemed to have been sufficiently served, and upon his or their Appearance or Default such Justice or Justices may proceed to the Examination of the Matter, and upon due Proof that the Goods are liable to Forfeiture under this or any Act relating to the Customs may condemn the said Goods.

Justices may summon Witnesses.

CCLXXIV. Any Justice before whom any Complaint or Information under this or any other Act relating to the Customs shall be judicially brought may summon any Person required as a Witness, wherever in the United Kingdom such Person shall be or reside, to appear before him or any other Justice or Justices to testify what he shall know concerning the Matter of such Complaint or Information; and if any Person so summoned shall refuse or neglect to appear at the Time and Place appointed by such Summons, and no just Excuse shall be offered for such Neglect or Refusal, then, after Proof upon Oath or Affirmation that such Summons was duly served upon such Person, either personally or by leaving the same at his last or usual Place of Abode, or on board any Ship to which such Person may belong, or who having appeared according to the Exigency of such Summons shall refuse to take Oath, or, if a Quaker or other Person having legal Power to make Affirmation, refuse to affirm, or shall refuse to give Evidence or to answer according to the best of his Knowledge and Belief any legal Question required of him, such Person shall for every such Default or Offence forfeit such Sum not exceeding Fifty Pounds as such Justice shall see fit.

Service of Summons.

Penalty for neglecting to attend.

Offences on the Waters, &c., and Jurisdiction.

CCLXXV. Where any Offence shall be committed in any Place upon the Water not being within any County of the United Kingdom, or where the Officers have any Doubt whether such Place is within the Boundaries or Limits of any such County, such Offence shall for the Purposes of this Act be deemed and taken to be an Offence committed

committed on the High Seas; and for the Purpose of giving Jurisdiction under this Act every Offence shall be deemed to have been committed, and every Cause of Complaint to have arisen, either in the Place in which the same actually was committed or arose, or in any Place on Land where the Offender or Person complained against may be or be brought.

Legal Proceedings generally.

CCLXXVI. When the Attendance of a Justice having Jurisdiction in the County where the Offence is committed cannot be conveniently obtained, it shall be lawful for any Magistrate of any neighbouring or adjoining County to that in which the Offence was deemed to have been committed to hear and determine any Information exhibited before him, and to have the same Powers and Authorities in all respects as to any Proceedings under this or any other Act relating to the Customs as if he were a Justice for the County in which the Offence was committed or deemed to be committed.

Justice of adjoining County may act when required.

CCLXXVII. Where any Offence against this or any Act relating to the Customs shall be committed in any City, Borough, Liberty, Division, Franchise, or Town Corporate, any Justice or Justices having Jurisdiction therein, and any Justice or Justices of any County within which the same is or are situated, shall have Jurisdiction to hear and determine the same; and all Powers vested in any Justice or Justices of the Peace by virtue of this Act shall be and the same are hereby vested in and may be exercised in the *Isle of Man* or the Channel Islands by any Governor, Deemster, or other Magistrate of the said Isle or Islands; and for the Purposes of this Act the Jurisdiction of the Magistrates of the Borough of *Gravesend* in the County of *Kent* shall be deemed to extend on the River *Thames* from *Yantlet Creek* to *Broadness Point* in the *Northfleet Hope*, and shall include every Part of the said River between those Limits respectively.

Justice of Counties to have concurrent Jurisdiction in Cities, Boroughs, &c. situate in such Counties.

CCLXXVIII. In case of the Nonpayment of any Penalty incurred for any Offence in respect of which the Offender is not liable to Detention, such Justice or Justices or any other Justice or Justices may, by Warrant under his or their Hand and Seal, commit such Party to any of Her Majesty's Gaols within his or their Jurisdiction, there to remain until the Penalty shall be paid.

Justice may commit in default of Payment of Penalty until paid.

CCLXXIX. Such Warrants may be executed in any Part of the United Kingdom by any Officer of Customs, and such Justice or Justices are hereby also authorized and required, when such Party is convicted of any Offence for which the Punishment of Hard Labour is inflicted, to commit such Party by such Warrant to any House of Correction,

Officers of Customs may execute Warrants of Commitment.

Legal Proceedings generally.

Correction, there to be kept to Hard Labour for such Time as may be authorized by this or any other Act relating to the Customs.

Justices may mitigate Penalties in certain Cases to One Fourth.

CCLXXX. Where any Person shall or may be convicted before any Justice or Justices as aforesaid in any Penalty or Penalties incurred as aforesaid, and except as is herein-after provided, the said Justice or Justices may, in Cases where upon Consideration of the Circumstances they shall deem it expedient so to do, and for a First Offence only, mitigate the Payment of the said Penalty or Penalties so as the Sum to be paid by such Person be not less than One Fourth Part of the Amount of the Penalty in which such Person shall have been convicted.

Persons detained and convicted to be committed to Gaol for Nonpayment without Mitigation, or to Hard Labour where required by this Act.

CCLXXXI. Any Justice or Justices before whom any Person liable to be detained and who shall have been detained for any Offence against this or any other Act relating to the Customs shall be brought may either on the Confession of such Person of such Offence, or on Proof thereof upon Oath, convict such Person of any such Offence, and every Person so convicted shall immediately upon such Conviction pay, without any Mitigation, into the Hands of such Justice or Justices, for the Use of Her Majesty, the Penalty imposed for such Offence, or in default thereof the said Justice or Justices shall, by Warrant under his or their Hand and Seal or Hands and Seals, commit such Person so convicted as aforesaid and making such Default as aforesaid to any Gaol or Prison, there to remain until such Penalty shall be paid; and such Justice or Justices may also, when any such Person is convicted of any Offence for which the Punishment of Hard Labour is inflicted, commit such Person to any House of Correction, there to be kept to Hard Labour for such Time as they shall be authorized to do by this or any other Act or Acts relating to the Customs.

Penalties and Forfeitures to be paid to Commissioners.

CCLXXXII. All Penalties and Forfeitures recovered under this or any other Act relating to the Customs shall be paid to the Commissioners of Customs, and all Penalties and Forfeitures recovered under any Act relating to the Excise shall be paid to the Commissioners of Inland Revenue, or to the Persons appointed by such Commissioners respectively to receive the same, and such Penalties and Forfeitures shall be applied by such Commissioners respectively in such Manner as the Law directs.

Commitment and Punishment.

As to the Commitment and Punishment of Offenders after Conviction, and the Mitigation or Increase of such Punishment under certain Circumstances:

Any Person committed in default of Pay-

CCLXXXIII. Where any Person shall have been committed by any Justice or Justices to any Prison for Nonpayment of any Penalty

Legal Proceedings generally.

Penalty incurred under this or any other Act relating to the Customs less than One hundred Pounds, the Gaoler or Keeper of such Prison is hereby authorized and required to discharge such Person at the End of Six Months from the Commencement of his Imprisonment.

ment of a Penalty less than 100*l.* to be discharged by Gaoler in Six Months if not duly released.

CCLXXXIV. Where any Person shall have been convicted before any Justice or Justices of any Offence for which any Penalty of One hundred Pounds or upwards shall have been inflicted by this or any other Act relating to the Customs, the said Justice or Justices may, if he or they shall think fit, adjudge that such Person shall in default of paying such Penalty be imprisoned for such Offence, if it be a first one, in any Gaol within his or their Jurisdiction for a Period of not less than Six nor more than Nine Months; and if it shall appear that such Party had been before convicted of any Offence against this or any other Act relating to the Customs, it shall and may be lawful for the said Justice or Justices, if he or they shall think fit, to order and adjudge that such Person shall in lieu of such Penalty be imprisoned in any House of Correction, and there kept to Hard Labour for any Period not less than Six nor more than Twelve Months.

Justices may imprison in default of Payment of Penalty, and if Party previously convicted may sentence to Hard Labour.

CCLXXXV. When any Person shall have been convicted of any Offence against this or any other Act relating to the Customs for which such Person is liable to be sentenced to Hard Labour, and such Conviction shall take place before any Justice or Justices within whose Jurisdiction there is no House of Correction, such Justice or Justices shall and may, by Warrant under his or their Hands and Seals, commit such Offender to any Gaol within his or their Jurisdiction wherein the Sentence of Hard Labour is or can be executed, or to the House of Correction nearest to the Place where such Offender is convicted, for such Time as has herein-before been limited for a first or subsequent Offence respectively; and the Governor or Keeper of such Gaol or House of Correction is hereby required to receive such Offender and to obey such Warrant in all respects as if such Gaol or House of Correction was within the Jurisdiction of such Justice or Justices.

Justices may commit to nearest House of Correction, if none in their Jurisdiction.

CCLXXXVI. Where any Person shall have been convicted of any Offence against this or any other Act relating to the Customs for which such Person would be liable to be committed to Hard Labour, it shall and may be lawful for the Justice or Justices before whom such Person is so convicted, if such Person be a Female or if a Male from physical Infirmity incapable of Hard Labour, to order and adjudge that such Person shall, in lieu of being subjected to Hard Labour,

Justices may commute Hard Labour where Offender is a Female or infirm.

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Labour, be imprisoned in any Gaol within their Jurisdiction for the Period during which such Person would have been liable to be kept to Hard Labour, but in all such Cases the Cause of Mitigation shall be stated in the Warrant of Commitment.

If Prisoner be found to have been previously convicted, Imprisonment may be extended.

CCLXXXVII. Where any Person shall have been convicted before any Justice or Justices of any Offence against this or any other Act relating to the Customs for which such Person is liable to be committed to Hard Labour, and it shall at any Time during the Imprisonment of such Person be made to appear to the said or any other Justice or Justices that such Person had before been convicted of a similar Offence, it shall be lawful for such Justice or Justices and he and they are hereby required to commit such Offender to some House of Correction to be kept to Hard Labour for any Period not less than Nine nor more than Twelve Months in the whole from the Date of the First Commitment, and to amend the Warrant of Commitment accordingly, and without including in such Amendment any Reference to the former Conviction; and any Gaoler in whose Custody such Person shall be is hereby required upon a written Order, signed by any Justice, to produce such Person before such last-mentioned Justice.

Married Women may be committed.

CCLXXXVIII. Where any married Woman shall be convicted before any Justice or Justices of any Offence against this or any other Act relating to the Customs she shall, in default of paying any Penalty she may have incurred, be liable to be committed to Prison.

Actual Expenses incurred by the Commitment of Smugglers to Hard Labour to be paid out of Consolidated Customs.

Allowance to poor Persons confined for Offences against Laws of Customs to be made by Commissioners.

CCLXXXIX. The actual Expenses incurred by any County, City, Borough, Liberty, Division, Franchise, or Town Corporate, in consequence of the Commitment of any Person to Hard Labour under this or any Act or Acts relating to the Customs, shall be repaid out of the Consolidated Customs by an Order of the Commissioners of Treasury in such Manner and to such Amount as they shall direct; and for the necessary Subsistence of any poor Person confined in any Prison in the United Kingdom under or by virtue of any Exchequer or other Process for the Recovery of any Duties or Penalties, either upon Bond or otherwise, under this or any other Act relating to the Customs, the Commissioners of Customs may allow any Sum, not exceeding Sevenpence Halfpenny *per Diem*, to be made for any such poor Person out of any Money in their Hands arising from the Duties of Customs.

Removal of Proceedings.

As to the Removal of Proceedings before Justices under the Customs Laws:

Writs of Certiorari and Habeas corpus

CCXC. No Writ of Certiorari shall issue to remove any Proceedings before any Justice or Justices under this or any other Act relating

relating to the Customs, nor shall any Writ of Habeas corpus issue to bring up the Body of any Person who shall have been convicted before any Justice or Justices under this or any other Act relating to the Customs, unless the Party against whom such Proceeding shall have directed, or who shall have been so convicted, or his Attorney or Agent, shall state by Affidavit in Writing duly sworn the Grounds of Objection to such Proceedings or Conviction; and upon the Return to such Writ of Certiorari or Habeas corpus, no Objection shall be entertained by the Court other than such as shall have been stated in such Affidavit; and any Justice or Justices shall and may amend any Information, Conviction, or Warrant of Commitment for any Offence under this or any such Act at any Time, whether before or after Conviction.

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not to issue except on Affidavit.

CCXCI. No such Writ shall issue without Notice in Writing to the Solicitor for the Customs, and no Return to any such Writ shall be considered by any of Her Majesty's Courts at *Westminster*, *Dublin*, or *Edinburgh*, or the Judges thereof, unless there shall be produced to such Court or Judge an Affidavit in Writing duly sworn stating that Notice of the issuing of such Writ was given to the Solicitor of Customs or left at his Office Four clear Days before the Return of such Writ; and with respect to all such Writs there shall be an Interval of Four clear Days at least between the Day of Issue and the Day of the Return thereof, and any such Writ issuing without Notice, or not in conformity with the Directions herein contained, shall be void to all Intents and Purposes.

No Writ of Habeas without Notice to Solicitor of Customs.

As to Justices Clerks Fees in Prosecutions under the Customs Laws:

Justices Clerks Fees.

CCXCII. The Fees to Justices Clerks shall be regulated and governed by the Table of Fees to this Act annexed, and shall be allowed to and taken by such Clerks in respect of the Matters therein mentioned, in lieu of all other Fees heretofore chargeable for the like Matters.

Justices Clerks Fees.

As to Proceedings in the Superior Courts for Penalties:

Superior Courts.

CCXCIII. All Suits, Prosecutions, or Informations for Recovery of Penalties under this or any Act relating to the Customs in any of Her Majesty's Courts of Record at *Westminster*, *Dublin*, or *Edinburgh* may be commenced either by Writ of Subpœna or Capias as the First Process at the Election of the Commissioners of Customs, in which shall be specified the Amount of the Penalty or Penalties sued for, and if by Capias the Person against whom such Capias shall issue shall be bound with Two sufficient Sureties to the Party to whom such Capias shall be directed to appear in the Court out of which such

Procedure for Penalties.

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Capias shall issue at the Day of the Return of such Writ to answer such Information, and shall likewise at the Time of such appearing be bound to Her Majesty, Her Heirs and Successors, with Two sufficient Sureties, or, by Leave of the Court or a Judge, more than Two, to be acknowledged in the same Court, to answer and pay all the Penalties so sued for, or such other Sum, not exceeding the Penalty or Penalties sought to be recovered, as the Commissioners of Customs, or the Judge upon whose Fiat such Capias shall issue, may see fit, in case such Person shall be convicted thereof, or to yield the Body of such Person to Prison, and in default of being bound by such respective Sureties the Person against whom such Capias shall issue shall be taken to Prison.

Service of Subpœna.

CCXCIV. In any Case where the Commissioners shall waive the Right of issuing Writ of Capias, and elect to proceed by Subpœna, Service of a Copy of such Subpœna, either on the Defendant personally or by leaving the same at his last known Place of Abode, or on board any Ship or Vessel to which such Defendant may belong or have lately belonged, shall be deemed to be sufficiently served.

Judgment by Default if Persons in Gaol do not appear, and plead to Information served.

CCXCV. Any Person arrested under such Capias and imprisoned for Want of sufficient Bail shall be served with a Copy of the Information filed against him either personally or by Delivery of a true Copy thereof to the Gaolor, Keeper, or Turnkey of the Prison in which such Person shall have been confined; and in default of such Person's appearing or pleading to such Information for the Space of Twenty Days, to be computed from the Date of such Service, Judgment shall be entered by Default; and in case Judgment shall be obtained against any such Person by Default, Verdict, or otherwise, and such Person shall not pay the Sum recovered against him, Execution shall thereupon issue, not only against the Body of the Person so imprisoned as aforesaid, but against all the Real and Personal Estate of such Person, or any other Person in trust for him, for such Sum or Sums of Money so as aforesaid recovered against him, together with the Costs, Poundage, Fees, and Expenses of Execution over and above the Sum recovered.

Execution may issue to Sheriff of any County without reference to County where Venue laid.

CCXCVI. Every such Execution may be directed in the first instance to the Sheriff of any County or County of a City or other Shrievalty as the Party suing out the same may think fit, without reference to the County in which the Venue is laid, and without any Suggestion of the issuing of any prior Writ of Execution into such County.

Impoverished Persons may sue in formâ Pauperis.

CCXCVII. Where any Person so arrested and imprisoned as aforesaid by virtue of any Writ of Capias shall be disabled by Poverty from making

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making Defence to any such Information, it shall be competent for such Person to petition the Court on Affidavit verifying such Disability; and the Court on being satisfied of the Truth of the Facts alleged in such Affidavit may assign Counsel and Attorney to such Person, and the Counsel and Attorney so assigned are hereby required to act for such Person without Fee.

Sheriff to grant Special Warrant on Writ of Capias endorsed by Solicitor of Customs.

CCXCVIII. Every Sheriff, Mayor, Bailiff, and other Person accustomed to execute the Process of the Courts, and every Under Sheriff, Deputy, or Agent of such Sheriff, Mayor, or Bailiff, is hereby required (on the Request of the Solicitor or Assistant Solicitor of Customs, or of any Person acting on his Behalf, such Request to be endorsed on the Back of any Writ of Capias or other Process issuing as aforesaid, and signed by such Solicitor or by such other Person stating his Authority,) to grant a special Warrant to such Persons as shall be named to them by such Solicitor or other Person for apprehending the Person against whom such Process shall issue, or in default thereof every such Sheriff, Mayor, Bailiff, Under Bailiff, and other Person shall be liable to such Process of Contempt, Fines, and Penalties as they or any of them are now by any Law or Custom liable to in case of refusing to execute similar Process where the Defendant might have been taken thereupon in the usual Course of proceeding.

Sheriff indemnified for Escape if Warrant granted at Request of Customs.

Gaoler to receive Offender.

CCXCIX. Every Sheriff, Mayor, Bailiff, Under Sheriff, and other Person granting such special Warrant shall be indemnified from all Liability for the Escape of any Person who shall be arrested by virtue of such Warrant, which Escape shall happen from the Time of taking such Person, until he shall be committed to the proper Prison, or be tendered to the Gaoler or Keeper of such Prison, who is hereby required to receive every Person so arrested as aforesaid, and give a Receipt for his Body.

When Offenders are arrested and give Bail to the Sheriff, the Bail Bond to be assigned to Her Majesty.

CCC. If any Person shall be arrested under or by virtue of any Writ of Capias ad respondendum, and the Sheriff or other Officer shall take Bail from such Person, such Sheriff or other Officer, at the Request and Costs of the Prosecutor, shall assign to the Queen's Majesty, Her Heirs and Successors, the Bail Bond taken from such Person, by endorsing and attesting the same under his Hand and Seal in the Presence of Two or more credible Witnesses, which may be done without any Stamp, provided the Assignment so endorsed be duly stamped before any Suit be commenced thereupon, and if such Bail Bond be forfeited such Process shall thereupon issue as on Bonds originally made to the Queen's Majesty, Her Heirs and Successors.

As

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Prosecutions, &c.

Indictment to be preferred by Order of the Commissioners, and Suits to be in the Name of the Attorney General or Lord Advocate or of some Officer.

As to Prosecution by Indictment or Information for Offences against the Customs Laws:

CCCI. No Indictment shall be preferred for any Offence against this or any other Act or Acts relating to the Customs or Excise, nor shall any Suit be commenced for the Recovery of any Penalty or Forfeiture for any such Offence, except in the Cases of Persons detained and carried before One or more Justices in pursuance of such Act or Acts as aforesaid, unless such Indictment shall be preferred under the Direction of the Commissioners of Customs or Inland Revenue, or unless such Suit shall be commenced in the Name of Her Majesty's Attorney General for *England* or *Ireland*, or in the Name of the Lord Advocate of *Scotland*, or in the Name of some Officer of Customs or Excise, under the Direction of the said Commissioners respectively.

The Attorney General or Lord Advocate may enter a Nolle prosequi.

CCCII. In any Prosecution for Recovery of any Fine, Penalty, or Forfeiture incurred under this or any other Act relating to the Customs or Excise, Her Majesty's Attorney General for *England*, Her Majesty's Attorney General for *Ireland*, or the Lord Advocate of *Scotland*, if satisfied that such Fine, Penalty, or Forfeiture was incurred without any Intention of Fraud, or that it may be inexpedient to proceed in the said Prosecution, may enter a Nolle prosequi or otherwise on such Information as well with respect to the Share of such Fine, Penalty, or Forfeiture to which any Officer or Officers may be entitled as to the Queen's Share thereof.

Within what Time Suits, Indictments, or Informations are to be exhibited.

CCCIII. All Suits, Indictments, or Informations brought or exhibited for any Offence against this or any other Act relating to the Customs in any Court, or before any Justice or Justices, shall be brought or exhibited within Three Years next after the Date of the Offence committed.

Indictments or Informations may be tried in any County in England, Scotland, or Ireland respectively.

CCCIV. Any Indictment, Prosecution, or Information which may be instituted or brought under the Direction of the Commissioners of Customs relating to the Customs shall and may be inquired of, examined, tried, and determined in any County of *England* when the Offence is committed in *England*, and in any County of *Scotland* when the Offence is committed in *Scotland*, and in any County in *Ireland* when the Offence is commited in *Ireland*, in such Manner and Form as if the Offence had been committed in the said County where the said Indictment or Information shall be tried.

Proofs in Proceedings.

Defendant's Proofs in Smuggling Cases.

As to Proofs in Proceedings under the Customs Laws in any of the Courts or before Justices:

CCCV. If in any Prosecution under the Direction of the Commissioners of Customs in respect of any Goods seized for Nonpayment of

of Duties, or any other Cause of Forfeiture, or for the recovering any Penalty or Penalties under this or any Act relating to the Customs, any Dispute shall arise whether the Duties of Customs or Excise have been paid in respect of such Goods, or the same have been lawfully imported or lawfully unshipped, or concerning the Place from whence such Goods were brought, then and in every such Case the Proof thereof shall be on the Defendant in such Prosecution.

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CCCVI. The Averment that the Commissioners of Customs or Inland Revenue have directed or elected that any Information or Proceedings under this or any other Act relating to the Customs or Excise shall be instituted, or that any Ship or Boat is Foreign or belonging wholly or in part to Her Majesty's Subjects, or that any Person detained or found on board any Ship or Boat liable to Seizure is or is not a Subject of Her Majesty, or that any Goods thrown overboard, staved, or destroyed were so thrown overboard, staved, or destroyed to prevent Seizure, or that any Goods thrown overboard, staved, or destroyed when chased by any Ship or Boat in Her Majesty's Service, or in the Service of the Revenue, were so thrown overboard, staved, or destroyed to avoid Seizure, or that any Person is an Officer of Customs or Excise, or that any Person was employed for the Prevention of Smuggling, or that the Offence was committed within the Limits of any Port, or where the Offence is committed in any Port of the United Kingdom the naming of such Port in any Information or Proceedings, shall be deemed to be sufficient, without Proof of such Fact or Facts, unless the Defendant in any such Case shall prove to the contrary.

Averments in Smuggling Cases.

CCCVII. If upon any Trial a Question shall arise whether any Person is an Officer of the Army, Navy, or Marines being duly employed for the Prevention of Smuggling, and on Full Pay, or an Officer of Customs or Excise, his own Evidence thereof, or other Evidence of his having acted as such shall be deemed sufficient, and such Person shall not be required to produce his Commission or Deputation unless sufficient Proof shall be given to the contrary; and every such Officer and any Person acting in his Aid or Assistance shall be deemed a competent Witness upon the Trial of any Suit or Information on account of any Seizure or Penalty as aforesaid, notwithstanding such Officer or other Person may be entitled to the whole or any Part of such Seizure or Penalty, or to any Reward upon the Conviction of the Party charged in such Suit or Information.

Vivâ voce Evidence may be given that a Party is an Officer.

Witness competent although entitled to Part of Seizure or Reward.

CCCVIII. Upon the Trial of any Issue, or upon any Judicial Hearing or Investigation touching any Seizure, Penalty, or Forfeiture, or

What shall be deemed sufficient Evidence of an Order of

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the Treasury or of the Commissioners of Customs or Inland Revenue.

or other Proceeding under any Law or Laws relating to the Customs or Excise, or incident thereto, where it may be necessary to give Proof of any Order issued by the Commissioners of the Treasury, or by the Commissioners of Customs or Inland Revenue respectively, the Order, or any Letter or Instructions referring thereto, which shall have been officially received by any Officer of Customs or Excise for his Government, and under which he shall have acted as such Officer, shall be admitted and taken as sufficient Evidence and Proof of such Order.

Entry of Appearances.

As to the Entry of Appearances and Claims by the Owners of Vessels or Goods seized by Officers of the Customs:

Claim to be in Name of bonâ fide Owners.

CCCIX. No Claim nor Appearance shall be permitted to be entered to any Information filed for the Forfeiture of any Ship or Goods seized for any Cause of Forfeiture and returned into any Court unless such Claim or Appearance be made by or in the true and real Name or Names of the Owner or Proprietor of such Ship or Goods, describing the Place of Residence and the Business or Profession of such Owner or Proprietor; and if such Person shall reside at *London*, *Edinburgh*, or *Dublin*, or within the Liberties thereof, Oath shall be made by him before One of the Judges of the Court into which the said Ship or Goods are returned, or in which such Information is filed, that the said Ship, Boat, or Goods was or were his Property at the Time of Seizure; but if such Person shall reside elsewhere, then Oath shall be made by the Attorney by whom such Claim or Appearance shall be entered that he has full Authority from such Owner to enter the same, and that to the best of his Knowledge and Belief such Ship or Goods were at the Time of the Seizure thereof the *bonâ fide* Property of the Person in whose Name such Claim or Appearance is entered; and on Failure of making such Proof of Ownership the Ship or Goods shall be condemned, and Judgment shall be entered thereon by Default according to the usual Practice of the Court as if no Claim or Appearance had been made.

Verified by Oath of Ownership.

If Goods owned by more than Five Co-proprietors, Two may make the Oath.

CCCX. When any such Ship or Goods shall at the Time of the Seizure thereof be the *bonâ fide* Property of any Number of Proprietors exceeding Five, it shall not be necessary for more than Two of such Proprietors resident as aforesaid to enter such Claim or Appearance on the Part of themselves and their Co-proprietors, or to make such Oath as aforesaid.

If Goods owned by a Company or Copartnership the Oath may be made by public Officer or Agent.

CCCXI. When any such Ship or Goods shall at the Time of the Seizure thereof be the Property of any Joint Stock Company or of Partners in any Copartnership actually carrying on Trade in any Part of the United Kingdom, such Claim and Appearance may be entered

entered and Oath made by the public Officer of such Joint Stock Company, or by any Agent for or any One of the Partners in any such Copartnership; and every Person who shall be convicted of taking a false Oath as to any or either of the Facts herein-before required to be sworn to shall be deemed guilty of Perjury, and liable to the Pains and Penalties thereof.

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CCCXII. In case any Information or Suit shall be tried for any Cause of Forfeiture, and a Verdict shall be found for the Claimant, and it shall appear to the Judge before whom such Trial was had that there was a probable Cause of Seizure, such Judge shall certify on the Record that there was such probable Cause, and such Certificate shall be a Bar, and may be pleaded as such, to any Action, Indictment, or other Proceeding against the Party making such Seizure; and in case any Action, Indictment, or other Proceeding shall be brought to Trial against any Person whatsoever on account of any Seizure (whether any Information shall have been or shall be brought to Trial for the Condemnation of the same or not), and a Verdict shall be given for the Plaintiff, if the Court or Judge before whom such Action, Indictment, or other Proceeding shall be tried shall certify, on the Record or other written Proceedings, that there was probable Cause for such Seizure, then the Plaintiff shall not be entitled to more than Twopence Damages nor to any Costs, nor shall the Defendant or Defendants in any such Prosecution be fined more than One Shilling; and the Production of such Certificate, or a Copy thereof, verified by the Signature of the Officer of the Court having Charge thereof, shall be sufficient Evidence of such Certificate.

In Suits on Seizure Judge may certify probable Cause in Bar.

As to Actions against Officers of Customs:

Actions against Officers.

CCCXIII. No Action or Suit shall be commenced against any Officer of the Army, Navy, Marines, Customs, or Excise, or against any Person acting under the Direction of the Commissioners of Customs, for anything done in the Execution of or by reason of his Office, until One Month next after Notice in Writing shall have been delivered to him or left at his usual Place of Abode by the Attorney or Agent of the Plaintiff, in which Notice shall be clearly stated the Cause of Action, the Name and Place of Abode of the Plaintiff, and the Name and Place of Abode or Business of such Attorney or Agent, and the Attorney or Agent mentioned in such Notice shall be entitled to a Fee of Ten Shillings for preparing and serving such Notice; and if any Action or Suit shall be commenced against any such Officer or other Person, and no such Notice shall have been given, such Officer or other Person may call upon the Plaintiff to establish, to the Satisfaction of the Court, on Affidavits on both Sides, that such Action or Suit is brought for some Act, Matter, or Thing not done

One Month's Notice of Action to Officer before Process.

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done in the Execution of or by reason of his Office, and if the Plaintiff shall fail so to satisfy the Court, such Action or Suit shall discontinue: Provided always, that if the Plaintiff shall so satisfy the Court, he shall not be allowed on the Trial of such Action to give Evidence of any Cause of Action other than such as shall have been disclosed in his said Affidavit.

Evidence limited to Subject in Notice.

CCCXIV. Upon the Trial of any Action brought in pursuance of such Notice the Plaintiff shall not be entitled to a Verdict without proving on the Trial that such Notice had been duly served, and in default of such Proof the Defendant in such Action shall receive a Verdict, with Costs, nor shall any such Plaintiff be at liberty to produce any Evidence of any Cause of Action, except such as has been distinctly stated in such Notice.

Officer may tender Amends.

CCCXV. It shall be lawful for any Officer or other Person to whom such Notice shall be given, at any Time within One Month after Service of such Notice as aforesaid, to tender Amends to the Plaintiff or his Agent or Attorney, and in case such Amends be not accepted to plead such Tender in bar of the Action, together with the Plea of "Not Guilty," and other Pleas, with Leave of the Court, where such Leave must be obtained pursuant to the "Common Law Procedure Act, 1852;" and if upon the Trial of such Action the Jury shall find the Amends so tendered sufficient they shall give a Verdict for the Defendant, and in such Case, or in case the Plaintiff shall be nonsuited or discontinue his Action, or in case Judgment be given for such Defendant on Demurrer, then such Defendant shall be entitled to the like Costs as he would have been entitled to if he had pleaded the General Issue only; but if upon Issue joined the Jury shall find that no Amends were tendered, or that the same were insufficient, or shall find against the Defendant on such Plea or Pleas, then they shall give a Verdict for the Plaintiff, and such Damages as they shall think proper, together with Costs of Suit.

Officer omitting to tender Amends may pay Money into Court.

CCCXVI. In case any such Officer or other Person as aforesaid shall neglect to tender Amends, or shall not have tendered sufficient Amends, before the Action brought, it shall be lawful for him, by Leave of the Court in which such Action shall be brought, at any Time before the Trial of the said Action, to pay into Court a Sum of Money by way of Amends, and such Proceedings shall be had and taken thereupon, and in relation to the Monies so paid into Court, as are prescribed by the Seventieth, Seventy-first, Seventy second, and Seventy-third Sections of an Act of the Fifteenth and Sixteenth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Seventy-six.

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Actions against Officers to be brought within Two Months after Cause arises.

CCCXVII. Every such Action against any Officer of Customs or other such Person as aforesaid shall be commenced within Two Months after the Cause of Action shall have arisen; and if such Action be brought in respect of any Seizure made by such Officer or other Person, such Cause of Action shall not be deemed to have arisen until the Day after the Trial of the Information with respect to such Seizure, and the Venue in such Action shall be laid in the County or Place where the Cause thereof is alleged to have occurred; and the Defendant may plead the General Issue, and give the special Matter in Evidence on the Trial thereof; and if the Plaintiff shall be non-suited or discontinue, or if upon a Verdict or Demurrer Judgment shall be given against him, the Defendant shall be entitled to Costs, and have such Remedy for recovering the same as any other Defendant now has in other Cases where Costs are legally recoverable.

Actions for illegal Seizures may be tried in County Court.

CCCXVIII. Any Party complaining of any illegal Seizure of any Boat, Vessel, or Goods may, after Service of the Notice in Writing to the Effect, and within the Time herein-before provided in respect to the bringing of any Action or Actions in the Superior Court of Common Law, and in case no such Amends as herein-before provided shall have been tendered, proceed against the Officer by whom such Seizure shall have been made by Plaint in the County Courts in *England*, or by Civil Bill in the Assistant Barrister's Court in *Ireland*, or by Summons in the Sheriff's Courts in *Scotland:* Provided always, that the Sum claimed for Damages by the Party so complaining, shall not exceed the Amount to which the Jurisdiction of the said Courts respectively is limited.

Venue confined to District where Action arises.

CCCXIX. In the event of any Party so complaining as aforesaid resorting for Redress to the County Courts in *England*, the Action shall be brought within the District where the Cause of Action shall have arisen, and the Proceedings and Conduct of the Suit shall be regulated as nearly as the Circumstances of the Case shall allow in conformity with the Provisions of the Acts and Orders which govern the Procedure and Practice of the said Courts; and such Right of Appeal shall be allowed to the Parties as is provided by the County Courts Acts in other Actions now triable by such Courts: Provided always, that in every such Suit or Plaint the County Court Judge shall hear and determine such Case without the Assistance of a Jury, and that no Order for the Trial thereof by a Jury shall be made by any County Court Judge, except upon the written Consent of the Plaintiff and Defendant.

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Action brought in Civil Bill Court, Ireland.

CCCXX. Where the Party so complaining as aforesaid shall be desirous to bring his Suit in the Civil Bill Court in *Ireland*, he shall bring the same at a General Sessions of the Peace for the Division of the County within which the Cause of Action shall have arisen, and the Proceedings and Conduct of the Suit shall in like Manner be regulated as nearly as the Circumstances of the Case will allow in conformity with the Provisions of the Acts and General Rules and Orders which govern the Procedure and Practice of the Civil Bill Courts: Provided always, that it shall not be lawful for any Party who shall think himself aggrieved by any Decree or Decision pronounced by any Assistant Barrister on the Hearing of any such Civil Bill to appeal therefrom to the next or any other Judge of Assize, but in lieu of such Right of Appeal it shall be lawful for the Chairman, Recorder, or Assistant Barrister, in case he shall be of opinion that a Question of Law only is involved in such Proceeding, by Consent of the Parties respectively, to state a Special Case under his Hand for the Opinion of the Chief or any other Baron of the Court of Exchequer in *Ireland* upon any Question of Law, and thereupon like Proceedings shall be had and a like Decision given upon such Appeal and Special Case, and subject, as nearly as the Circumstances will allow, to the like Provisions as in other Cases of Appeal, save that without further Proof of the Facts of the Case the Decision of the Judge shall be given upon such Special Case.

Action in Sheriff's Court in Scotland.

CCCXXI. In case the Party so complaining as aforesaid shall desire to bring his Action in the Sheriff's Court in *Scotland*, it shall be lawful for him to proceed in the said Court, in which Case the Proceedings and Conduct of the Suit shall be regulated as nearly as may be in accordance with the Provisions of the Acts and Orders of Court which govern the Procedure and Practice of the said Court.

Where 20*l.* only is recovered no Costs to be allowed unless Judge certifies.

CCCXXII. If in any Action commenced after the passing of this Act in any of the Superior Courts of Record in *England*, *Ireland*, or *Scotland*, in which the Plaintiff shall seek to recover Damages for any alleged illegal Seizure or Detention of any Ship or Goods, the said Plaintiff shall recover a Sum not exceeding Twenty Pounds, such Plaintiff shall have Judgment to recover such Sum only and no Costs, unless at the Trial of such Cause the Judge shall certify on the Back of the Record either that the Case was one that could not be tried, if in *England*, in the County Court, if in *Ireland* in the Civil Bill Court, or if in *Scotland* in the Sheriff's Court, or that although within the Jurisdiction of those Courts respectively it nevertheless was a fit Case to be tried in One of such Superior Courts, or (in case there shall be no Trial) unless the Court or Judge shall make an Order to that

that effect, and it shall not be necessary to enter any Suggestion on the Record to deprive such Plaintiff of Costs.

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Solicitors Clerks and Officers of Customs may conduct Cases.

CCCXXIII. Any Person appointed to be Solicitor or Assistant Solicitor of Her Majesty's Customs, or any Clerk duly appointed to act on his Behalf or under his or their Directions, shall and may in any Case relating to the Customs, or under the Direction of the Commissioners of Her Majesty's Treasury or Customs, act as Counsel, Solicitor, Attorney at Law, Advocate, or Writer to the Signet in the Prosecution, Conduct, or Defence of any such Case in any Court, Jurisdiction, or Place in which such Case may be instituted, and any such Solicitor, Assistant Solicitor, or Clerk, and any Officer or Officers of Customs, under the Order and Directions of the Commissioners of Customs, may prosecute, defend, or conduct any Proceeding before any Magistrate or Magistrates, Justices or Justice of the Peace, in any Matter relating to the Customs, to be heard or determined by him or them.

X. *Reciprocity.*

As to Reciprocity in Commerce between *British* and Foreign Countries:

Queen may restrict the Privileges of Foreign Ships in certain Cases.

CCCXXIV. If it shall be made to appear to Her Majesty that *British* Vessels are subject in any Foreign Country to any Prohibitions or Restrictions as to the Voyages in which they may engage, or as to the Articles which they may import into or export from such Country, it shall be lawful for Her Majesty (if She think fit), by Order in Council, to impose such Prohibitions or Restrictions upon the Ships of such Foreign Country, either as to the Voyages in which they may engage or as to the Articles which they may import into or export from any Part of the United Kingdom or of any *British* Possession in any Part of the World, as Her Majesty may think fit, so as to place the Ships of such Country on as nearly as possible the same Footing in *British* Ports as that on which *British* Ships are placed in the Ports of such Country.

And may impose additional Duties.

CCCXXV. If it shall be made to appear to Her Majesty that British Ships are either directly or indirectly subject in any Foreign Country to any Duties or Charges of any Sort or Kind whatsoever from which the national Vessels of such Country are exempt, or that any Duties are imposed upon Articles imported or exported in *British* Ships which are not equally imposed upon the like Articles imported or exported in national Vessels, or that any Preference whatsoever is shown either directly or indirectly to national Vessels over *British* Vessels, or to Articles imported or exported in national Vessels over the like Articles imported or exported in *British* Vessels, or that *British* Trade and Navigation is not placed by such Country upon as advantageous

Reciprocity.

advantageous a Footing as the Trade and Navigation of the most favoured Nation, then and in any such Case it shall be lawful for Her Majesty (if She think fit), by Order in Council, to impose such Duty or Duties of Tonnage upon the Ships of such Nation entering into or departing from the Ports of the United Kingdom, or of any *British* Possession in any Part of the World, or such Duty or Duties on all Goods or on any specified Classes of Goods, imported or exported in the Ships of such Nation, as may appear to Her Majesty justly to countervail the Disadvantages to which *British* Trade or Navigation is so subjected as aforesaid.

Order in Council to specify Ships to which it applies.

CCCXXVI. And in every such Order Her Majesty may, if She so think fit, specify what Ships are to be considered as Ships of the Country or Countries to which such Order applies, and all Ships answering the Description contained in such Order shall be considered to be Ships of such Country or Countries for the Purposes of such Order.

The Queen may regulate the Trade of certain Colonies.

CCCXXVII. Her Majesty, by and with the Advice of Her Privy Council, by any Order or Orders in Council to be issued from Time to Time, may give such Directions and make such Regulations touching the Trade and Commerce to and from any *British* Possessions on or near the Continent of *Europe*, or within the *Mediterranean* Sea, or in *Africa*, or within the Limits of the *East India* Company's Charter (excepting the Possessions of the said Company), as to Her Majesty in Council shall appear most expedient and salutary, any thing in this Act to the contrary notwithstanding; and if any Goods shall be imported or exported in any Manner contrary to any such Order of Her Majesty in Council, the same shall be forfeited, together with the Ship importing and exporting the same.

Queen in Council may regulate Coasting Trade of Colonies on their Address.

CCCXXVIII. If the Legislature or proper legislative Authority of any of the *British* Possessions abroad shall present an Address to Her Majesty, praying Her Majesty to authorize or permit the Conveyance of Goods or Passengers from One Part of such Possession to another Part thereof in other than *British* Ships, or if the Legislatures of any Two or more Possessions, which for the Purposes of this Act Her Majesty in Council shall declare to be neighbouring Possessions, shall present Addresses or a joint Address to Her Majesty, praying Her Majesty to place the Trade between them on the Footing of a Coasting Trade, or of otherwise regulating the same, so far as relates to the Vessels in which it is to be carried on, it shall thereupon be lawful for Her Majesty, by Order in Council, so to authorize the Conveyance of such Goods or Passengers, or so to regulate the Trade between such neighbouring Possessions, as the Case may be, on

on such Terms and under such Conditions as to Her Majesty may seem good.

Reciprocity.

CCCXXIX. And with regard to the Coasting Trade of *India*, it shall be lawful for the Governor General of *India* in Council to make any Regulations authorizing or permitting the Conveyance of Goods or Passengers from One Part of the Possessions of the *East India* Company to another Part thereof in other than *British* Ships, subject to such Restrictions or Regulations as he may think necessary; and such Regulations shall be of equal Force and Effect with any Laws and Regulations which the said Governor General in Council is now or may hereafter be authorized to make, and shall be subject to Disallowance and Repeal in like Manner as any other Laws or Regulations made by the said Governor General in Council, under the Laws from Time to Time in force for the Government of the *British* Territories in *India*, and shall be transmitted to *England*, and be laid before both Houses of Parliament, in the same Manner as any other Laws or Regulations which the Governor General in Council is now or may hereafter be empowered to make.

Coasting Trade of India to be regulated by Governor General in Council.

CCCXXX. Every such Order in Council as aforesaid shall, within Fourteen Days after the issuing thereof, be twice published in the *London Gazette*, and that a Copy thereof shall be laid before both Houses of Parliament within Six Weeks after the issuing the same, if Parliament be then sitting, and if not, within Six Weeks after the Commencement of the then next Session of Parliament.

Orders to be published in "Gazette," and to be laid before Parliament.

CCCXXXI. It shall be lawful for Her Majesty from Time to Time to revoke any Order or Orders in Council made under the Authority of this Act.

Orders may be revoked.

XI.

Acquisition of Lands, &c.

As to the Acquisition and Disposal of Lands, &c. for the Service of the Customs.

Acquisition and Disposal of Lands, &c.

CCCXXXII. All Lands which have heretofore been or which shall hereafter be purchased or taken for the Use of Her Majesty's Customs, together with the Rights, Members, Easements, and Appurtenances to the same respectively belonging, except such Lands as may be of Copyhold Tenure, shall be and continue vested in the Secretary for the Time being to the Commissioners of Customs and his respective Successors in such Service, according to the respective Nature and Quality of the said Lands, and the several Estates and Interests in the same respectively, in trust for Her Majesty, Her Heirs and Successors, for the Use and Service of Her Majesty's Customs; and upon the Death of any Secretary, Collector of Customs, or other Officer or Person in whom any Lands or Interest therein

Lands and Buildings to be vested in the Secretary of the Customs and his Successors.

Acquisition of Lands, &c.

therein were vested as a Trustee for the Crown, all the Estate and Interest therein of such deceased Trustee shall vest in the Secretary for the Time being, and be held and dealt with by him upon the same Trusts and for the same Purposes as if he had been the Trustee originally appointed; and whenever any Act or Deed shall be required to be done by, or the Attendance, Assent, or Concurrence of the Heir-at-Law or legal Representative of such deceased Trustee shall become necessary in order to the Conveyance, Assignment, Surrender, or other Disposition of any such Lands, under the Direction of the Commissioners of Customs, the Secretary of Customs for the Time being shall be deemed to be the Heir-at-Law of such deceased Trustee for such Purpose.

Secretary for the Time Heir-at-Law of deceased Trustee.

Secretary, under Authority of Commissioners, may sell or let Lands vested in him;

CCCXXXIII. The Secretary of Customs may, under the Direction of the Commissioners of Customs, (testified by Writing under their Hands and Seals,) sell, exchange, or in any Manner dispose of, as well any of the Freehold and Leasehold Lands which shall be so vested in him as also any of the Copyhold Lands which shall have been surrendered to and vested in any Person or Persons, and his, her, or their Heirs and Assigns, in trust for Her said Majesty or any of Her Predecessors, his, her, or their Heirs or Successors, for the Use and Service of Her Majesty's Customs, or any Part thereof, in such Manner, for such Considerations, and to such Persons as the Commissioners of Customs may think fit, and may purchase other Lands for the like Purposes, and afterwards sell the same, and for that Purpose may execute all such Conveyances, Assignments, and Agreements as may be necessary for effectually conveying and assigning the same.

and execute necessary Conveyances, &c.

Monies produced by Sale of such Lands to be paid to the Receiver General.

CCCXXXIV. The Monies produced by Sales or Exchange of any of the said Lands, including the Monies already paid by way of Deposit for the Purchase of any Lands already contracted to be sold and the Residue of the Monies to be received in respect or on account of such Contract, shall be paid by the respective Purchaser or Purchasers thereof, or the Person or Persons making such Exchange, to the Receiver General of Customs for the Time being, or to such Person as the said Commissioners for the Time being, or any Two or more of them, shall appoint to receive the same, in trust for Her Majesty, Her Heirs and Successors, for the Use of the said Customs; and the Receipt of the said Receiver General, or such other Person as aforesaid, for such Monies (such Receipt to be endorsed on every such Conveyance, Surrender, or Assignment,) shall effectually discharge the Purchaser or Person by whom or on whose Account the same shall be paid.

CCCXXXV. The

Acquisition of Lands, &c.

Treasury may authorize Persons to survey and mark out Lands for Watch-houses, &c.;

and to treat with Owners.

CCCXXXV. The Commissioners of the Treasury may, from Time to Time, by any Writing under their Hands, authorize any Person to survey and make out any Lands, not exceeding One Half Acre at any One Station, which may be wanted for the Purpose of erecting Watch-houses, Dwelling Houses, and other Buildings requisite for the Security and Protection of the Revenues of Customs and Excise, with all necessary Ways unto and from the same, such Lands being situated within Half a Mile of the Seashore or of the Tideway of any navigable River, and may authorize any Person, by Warrant to treat and agree with the Owner or Owners of or any Person or Persons interested in any such Lands as aforesaid for such Estate or Interest therein, or for the absolute Purchase thereof, or for the Possession thereof for such Term of Years as the Public Service may require.

Parties seised or entitled to Lands under Disability empowered to sell or convey to Treasury or Customs.

CCCXXXVI. When Parties, being seised, possessed of, or entitled to any such Lands, or any Estate or Interest therein, labour under any Disability to sell, release, convey, or assign the same, or to contract for the Grant of any Lease of such Lands, either for any Term of Years or for such Periods as the Public Service shall require, the Seventh Section of the Lands Clauses Consolidation Act, 1845 (*England*), and the Seventh Section of the Lands Clauses Consolidation Act, 1845 (*Scotland*), shall apply to the Cases of the Parties so disabled or incapacitated, in whatever Part of the United Kingdom the said Lands may be situate; and the said Sections are hereby respectively made a Part of and incorporated with this Act, and shall be applicable to Parties so seised or entitled as aforesaid in any Part of the United Kingdom; and for the Purpose of this Act the Expression "the Promoters of the Undertaking," wherever used in the said Clauses of the Lands Clauses Acts, shall mean the Person authorized as aforesaid by the Commissioners of the Treasury.

Bodies or Persons refusing to treat, or to accept Consideration offered, Justices and others may put Her Majesty's Officers in possession.

CCCXXXVII. In case any Bodies or other Persons authorized by the Clauses of the Acts lastly herein-before mentioned to sell or demise Lands so marked out as aforesaid shall for the Space of Fourteen Days (next after Notice in Writing, subscribed by such Person authorized as aforesaid shall have been given to the principal Officer or Officers of any such Body, or to such other Persons hereby authorized to contract on behalf of others or interested themselves as aforesaid, or left at his or their usual Place of Abode, if any such can after diligent Inquiry be found, and in case any such Parties shall be absent from the United Kingdom, or cannot be found after diligent Inquiry, left with the Occupier of such Land, or if there be no such Occupier shall be affixed upon some conspicuous Part of such Lands,) refuse to treat or agree, or by reason of Absence shall be prevented from treating or agreeing with such Person authorized as aforesaid,

Acquisition of Lands, &c.

aforesaid, or shall refuse to accept such annual Rent or Sum as shall be offered for the Hire thereof, either for a Time certain or for such Period as the Public Service may require, then and in such Case, or in case of Disagreement between such Bodies or Persons so authorized to sell, release, grant, or demise and the Person so authorized as aforesaid by the said Commissioners of the Treasury, and in case also it shall not be practicable to procure by voluntary Bargain or Sale any other Land situate and required as aforesaid, then and in such Case it shall be lawful for Two or more Justices to put the Officers of Customs in possession of such Lands, and for that Purpose to issue a Warrant under their Hands and Seals requiring Possession to be delivered to such of said Officers as shall be named therein; and such Person so authorized as aforesaid may issue his Warrant to the Sheriff or Sheriffs of the County, Riding, Stewartry, City, or Place wherein such Lands shall be situate to summon a Jury, and every such Sheriff, upon Receipt of such Warrant, shall, in the Manner required by Law, summon a Jury of Twenty-four Common Jurymen to meet at a convenient Time and Place to be appointed by him for that Purpose, such Time not being less than Fourteen nor more than Twenty-one Days after the Receipt of such Warrant, and such Place not being more than Twenty Miles distant from the Lands in question, unless by Consent of the Parties interested, and he shall forthwith give Notice to the Commissioners of Customs of the Time and Place so appointed by him: Provided always, that nothing herein shall be construed to extend to any Garden or Pleasure Ground, or to any Land immediately contiguous to and used as the Curtilage or Homestead of any Dwelling House.

Justices and others may have a Jury summoned.

Mode of Proceeding by Jury, &c.

As to the Mode of Proceeding on the Inquiry by the Jury or Juries so summoned as aforesaid:

Incorporation of Lands Clauses Consolidation Act (England and Ireland)

CCCXXXVIII. Where the Lands the Subject of Inquiry shall be situate either in *England* or *Ireland*, the Lands Clauses Consolidation Act, 1845, from Section Forty to Section Sixty-eight inclusively, shall be incorporated with this Act; and for the Purpose of this Act the Expression "the Promoters of the Undertaking," wherever used in the said Lands Clauses Consolidation Act, shall mean the Person authorized as aforesaid by the Commissioners of the Treasury.

Incorporation of Lands Clauses Consolidation Act (Scotland).

CCCXXXIX. Where the Lands the Subject of Inquiry shall be situate in *Scotland*, the Lands Clauses Consolidation Act, 1845 (*Scotland*), from Thirty-eight to Sixty-eight inclusively, shall be incorporated with this Act; and for the Purpose of this Act the Expression "the Promoters of this Undertaking," wherever used in the Lands Clauses Consolidation Act, *Scotland*, shall mean the Person so authorized as aforesaid by the Commissioners of the Treasury.

CCCXL. The

Acquisition of Lands, &c.

Jury in ascertaining Compensation for Premises to settle Proportion to be paid to Lessees.

CCCXL. The Jury impannelled as aforesaid shall ascertain the Compensation to be paid for any such Lands, and the Proportion to be paid out of such Compensation to any Lessees or Tenants at Will, or otherwise, of such Lands, and the Proportion so to be paid shall be returned on the Verdict.

Upon delivering up Lands to the Owners all Erections for the Public Service to be removed, making Compensation to Owners.

CCCXLI. In all Cases where Lands shall be taken under the Provisions of this Act for a Term of Years or for such Period as the Public Service shall require, the Commissioners of the Treasury, or any other Person so authorized as aforesaid, at any Time before the Possession of Lands shall be delivered up to the Owner thereof, or other Person acting on his Behalf, shall remove all such Buildings or other Erections which may have been erected thereon for the Public Service, and carry away the Materials thereof, making such Compensation to the Owner or Owners of such Lands, or other Person or Persons acting on his Behalf, for the Damage which may have been done thereto or to the Soil thereof by the Erection of any such Buildings, or removing and carrying away the same, or otherwise, as the said Commissioners of the Treasury or other Person authorized as aforesaid shall think reasonable, and if such Owner or Owners, or other Person acting on his Behalf, shall not be willing to accept the Compensation so offered, the said Commissioners of the Treasury or other Person so authorized as aforesaid may require Two Justices of the Peace of the County, Riding, Stewartry, City, or Place to ascertain the Compensation which ought to be made for such Damage, and such Justices shall ascertain the same, and grant a Certificate thereof, and the Amount of such Compensation so ascertained and certified shall forthwith be paid by Warrant of the Commissioners of the Treasury to the Person entitled thereto: Provided, that nothing herein shall be construed to extend to alter, prejudice, or affect any Agreement which has or shall be entered into by any such Person authorized as aforesaid with any Owner of such Lands, or other Person acting on his Behalf, in relation to such Buildings or Erections.

In case of Dispute Compensation to be settled by Two Justices.

Act not to affect Agreements between the Treasury and the Owner.

Application of Purchase Money.

As to the Application of Purchase Monies, &c. for Lands purchased or taken from Parties under Disability, &c.

Money given for Lands belonging to incapacitated Persons, &c. to be paid to the proper Officer of the Exchequer for their Use;

CCCXLII. In all Cases where any Money shall have been or shall be agreed, or shall have been or shall be found by the Verdict of any Jury to be paid for the Use or Possession of Lands taken by virtue of this Act belonging to any Person under any Disability or Incapacity, or not having the absolute Interest therein, the same shall be paid by Warrant of the Commissioners of the Treasury to the proper Officer of the Court of Exchequer at *Westminster*, *Edinburgh*, or *Dublin* respectively for the Time being for receiving the Monies belonging to the Suitors of the said Court, for the Use of such Person,

Acquisition of Lands, &c.

Person, and such Officer is hereby authorized and required to receive and give a Discharge for such Money, and upon Receipt thereof to sign a Certificate to the Barons of the said Courts of Exchequer respectively, under his Hand, signifying that such Money was received by him for the Use of such Person who shall be named in such Certificate, and the said Certificate shall be filed in the said Court of Exchequer at *Westminster*, *Edinburgh*, or *Dublin* respectively, as the Case may be, and a Copy thereof, signed by such Officer, shall be read and allowed as Evidence for the Purposes hereinafter mentioned, and such Officer is hereby required, upon Receipt of any such Sum of Money as aforesaid, to pay the same into the Bank of *England*, or Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of *Ireland*, as the Case may require, and immediately upon the filing of such Certificate the said Lands shall be vested in or to the Use of Her Majesty, Her Heirs and Successors.

and upon his Certificate of Receipt Lands may be vested in Her Majesty.

Barons of Exchequer upon Application of Parties interested may order Disposal of Money deposited.

CCCXLIII. Upon the Application by Petition of any Party making claim to the Money so deposited, or any Part thereof, or to the Lands in respect whereof the same shall have been so deposited, or any Part of such Lands, or any Interest in the same, the Barons of the Court of Exchequer at *Westminster*, *Edinburgh*, or *Dublin* may in a summary Way, as to them shall seem fit, order such Money to be invested in the Public Funds, or may order Distribution thereof, or Payment of the Dividends thereof, according to the respective Interests of the Parties making claim to such Monies or Lands or any Part thereof, and may make such other Order in the Premises as the Court shall deem fit.

On the Death or Removal of Officer of Exchequer, Stocks and Securities shall vest in his Successor.

CCCXLIV. Upon the Death, Removal, or Resignation of any such Officer of the said Courts of Exchequer, all Stocks and Securities vested in him by virtue of this Act shall vest in the succeeding Officer of the Exchequer for the Purposes herein-before mentioned, without any Assignment or Transfer; and all Monies paid in the said Banks respectively in pursuance of this Act, or remaining in the Hands of any such Officer at his Death, Resignation, or Removal, and not vested in the Funds or placed out on Securities, as aforesaid, shall be paid over to the succeeding Officer for the like Purpose for the Time being.

Costs of Conveyance, &c.

And as to the Costs of Conveyances or Leases of Lands under this Act:

Certain Sections of Lands Clauses Consolidation Act incorporated

CCCXLV. Sections Eighty-one, Eighty-two, and Eighty-three of the Lands Clauses Consolidation Act, 1845, shall be and are hereby incorporated with this Act, so far as the same shall relate to the Conveyance or Demise of Lands in *England* and *Ireland*; and

Sections

Sections Eighty, Eighty-one, and Eighty-two of the Lands Clauess Consolidation Act (*Scotland*), shall be and are hereby incorporated with this Act, so far as the same shall relate to the Conveyance or Demise of Lands in *Scotland*; the Expression of "The Promoters of the Undertaking," wherever used in the said Acts respectively, to mean the Persons so authorized as aforesaid by the Commissioners of the Treasury.

AS TO THE ISLE OF MAN.

XII. *Isle of Man.*

Isle of Man to be deemed Part of United Kingdom for the Purposes of this Act.

CCCXLVI. The *Isle of Man* shall be deemed and taken to be Part of the United Kingdom for all the Purposes of this Act, but nothing herein contained shall prejudice or affect, or be construed in any way directly or indirectly to prejudice or affect, any of the Rights or Privileges legally exercised or enjoyed by the said Isle at the Time of the passing of this Act.

Goods delivered out of Charge of Customs in the Isle of Man not be brought into Great Britain or Ireland.

Goods brought to Isle of Man but not delivered out of Charge of Customs may be brought to Great Britain or Ireland, under Conditions.

CCCXLVII. No Foreign Goods upon which a higher Duty is payable on their Importation into *Great Britain* or *Ireland* than on their Importation into the *Isle of Man* shall, after the same have been cleared and delivered out of Charge of the proper Officer of Customs for Consumption or otherwise in the said Isle, be carried or shipped or be waterborne or be brought to any Quay, Wharf, or other Place to be shipped or waterborne to be carried from the said Isle into *Great Britain* or *Ireland*; nor shall any such Goods which may be brought to the said Isle, though not cleared and delivered as aforesaid, be removed or carried from thence into *Great Britain* or *Ireland* until the same shall have been duly cleared for that Purpose by the proper Officer of Customs, nor (unless reported for Removal in the same Ship and in continuation of the Voyage to some Port in *Great Britain* or *Ireland*,) until sufficient Security by Bond or otherwise shall have been given, in such Manner and on such Terms and Conditions as the Commissioners of Customs may direct, for the due Delivery thereof at some Port or Place in *Great Britain* or *Ireland*; and all Goods carried, brought, shipped, removed, or waterborne to be shipped, removed, or carried contrary hereto shall be forfeited, and every Person who shall carry, ship, bring, remove, or waterbear to be shipped, removed, or carried any Goods contrary hereto, or who shall aid or be concerned therein, shall forfeit Treble the Value of such Goods, or the Sum of One hundred Pounds, at the Election of the Commissioners of Customs.

Goods, the Growth or Manufacture of Isle of Man, may be imported into Great Britain or Ireland on Certificate, &c.

CCCXLVIII. Any Goods, the Growth of the *Isle of Man*, or there manufactured from Materials the Growth of the said Isle, or from Materials not subject to Duties in *Great Britain* or *Ireland*, or from Materials upon which the Duty has been paid in *Great Britain* or *Ireland* and upon which no Drawback has been subsequently granted, may

Isle of Man. may be brought from the said Isle into *Great Britain* or *Ireland* without Payment of any Duty: Provided always, that such Goods may nevertheless be charged with such Proportion of such Duties as shall fairly countervail any Duties of Excise payable on the like Sort of Goods the Produce of that Part of the United Kingdom into which they shall be brought, and any Articles, either wholly or in part manufactured in the said Isle from any Materials upon which a higher Duty is payable upon their Importation into the United Kingdom than on their Importation into the *Isle of Man*, may be brought from the said Isle into *Great Britain* or *Ireland* on Payment of the Duty payable on such Goods in that Part of the United Kingdom into which they shall be so brought.

Declaration and Certificate of Growth or Manufacture of Goods from Isle of Man.

CCCXLIX. Before any Goods shall be shipped in the *Isle of Man* to be carried to *Great Britain* or *Ireland*, as the Growth or Produce of that Isle, or as Manufactures of that Isle from Materials the Growth and Produce thereof, or from Materials not subject to Duty in *Great Britain* or *Ireland*, or from Materials upon which the Duties shall have been paid and not drawn back in *Great Britain* or *Ireland*, Proof shall be made by the written Declaration of some competent Person, to the Satisfaction of the Collector or Comptroller of Customs at the Port of Shipment, that such Goods (describing and identifying them) are of such Growth, Produce, or Manufacture, as the Case may be, and in such Declaration shall be stated the Name of the Person by whom such Goods are intended to be shipped, and such Person, at the Time of Shipping, (not being more than One Month after the Date of such Declaration,) shall make and subscribe a Declaration before such Collector or Comptroller, that the Goods to be shipped are the same as are mentioned in such Declaration, and thereupon the Collector or Comptroller shall, on Demand, give to the Master of the Ship in which the Goods are to be exported, a Certificate of such Proof of Produce or of Manufacture, describing the same, and setting forth the Name of the Party and of the Ship and of the Master thereof, and the Destination of the Goods.

Act not to affect Excise Drawbacks.

CCCL. Nothing herein contained shall be deemed or construed to affect the Laws and Regulations now in force respecting Duties and Drawbacks of Excise on Goods removed to the *Isle of Man*.

Stores of Manx Ships.

CCCLI. If any Ship or Boat bound from the *Isle of Man* to *Great Britain* or *Ireland* shall have on board any Stores of Spirits, Tobacco, or Tea for the Use of the Crew exceeding the Quantities specified in the following Table, such Stores, together with the Casks or Packages containing the same, and also the Ship or Boat, shall be forfeited:

TABLE

TABLE.

Isle of Man.

	In Ships or decked Vessels.	In open Boats.
Spirits for each Seaman - -	Half a Gallon -	One Quart.
Tobacco for each Seaman - -	One Pound - -	Half a Pound.
Tea for the whole Crew - -	Two Pounds -	One Pound.

CCCLII. The Commissioners of the Treasury shall and may at any Time, if they see fit, by Order under their Hands, restrict or limit the Importation into the *Isle of Man* of any Foreign Goods to such Quantities *per Annum* and in such Manner as they may deem necessary, and also determine into what Ports in the *Isle of Man* and from what Places such Goods may be imported.

Treasury may restrict Imports

CCCLIII. The Duties of Customs payable on the Importation of Goods into the *Isle of Man* shall be collected, paid, recovered, and accounted for under the Management and Control of the Commissioners of Her Majesty's Customs; and, except the necessary Charges of collecting, recovering, and accounting for the same, the said Duties shall from Time to Time (subject to the Deductions hereinafter mentioned) be brought and paid into the Receipt of Her Majesty's Exchequer, distinctly and apart from all other Branches of the Public Revenue, and shall go to and make Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland:* Provided always, that any of the Collectors of Customs of the said Isle shall retain, and he and they is and are hereby authorized and required, agreeably to such Directions as shall from Time to Time be given for that Purpose by the Commissioners of Her Majesty's Customs, to retain, such Sum or Sums of Money in his or their Hands as may be sufficient to defray the necessary Expenses attending the Government of the said *Isle of Man* and the Administration of Justice there, and other Charges incurred in the said Isle, which have heretofore been or may hereafter be deemed fit and proper Charges to be deducted from and paid out of the Duties of Customs collected in the said *Isle of Man;* and upon the Amount of the said Expenses and Charges being ascertained, the said Commissioners are hereby authorized to direct the same to be paid out of the said Monies so retained to such Person or Persons as may be entitled to receive the same.

Management of Duties.

Duties to be paid into the Exchequer.

Part of Duties may be retained for Expenses of the Government.

CCCLIV. The necessary Expenses attending the Government of the *Isle of Man* and the Administration of Justice there, and other Charges incurred in the said Isle, which have heretofore been deemed

Expenses of the Government, and 2,300*l.* per Annum to Harbour Com-

missioners of Isle of Man, to be paid by Customs.

fit and proper Charges to be deducted from and paid out of the Duties of Customs collected in the said Isle, or which may hereafter be deemed proper Charges, and also the annual Sum of Two thousand three hundred Pounds made payable by an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter Ninety-four, Section Twenty-five, to Her Majesty's Receiver General in the said *Isle of Man*, and to be applied for the lawful Purposes of the Harbour Commissioners therein mentioned, shall and may be retained and paid by the Collector of Customs of the said Isle, out of the Duties of Customs collected in the said Isle, as herein-before provided.

Additional Allowance for Public Works in Isle of Man.

CCCLV. In addition to the Deductions from the Customs Duties herein-before provided for, there shall be set aside annually a Sum equal to One Ninth Part of the Amount derived from such Duties, to be applied by the Commissioners of the Treasury in effecting Improvements in the Harbours and other Public Works in the *Isle of Man*, the necessary Repairs and Improvements in the Harbours taking Priority to other Public Works; and it shall be lawful for the Court of Tynwald from Time to Time to determine what Improvements and Public Works shall be so undertaken, the Lieutenant Governor having Veto upon such Decision.

As to general Orders and Regulations:

General Orders to be printed.

CCCLVI. The Commissioners of Customs shall, as soon as conveniently may be after the Commencement of each Year, cause o be printed all general Orders made by them for the Regulation of the Customs during the preceding Year.

As to the Interpretation of Terms used in this Act:

Interpretation of Terms.

CCCLVII. For the Purposes of this Act,—

"Assistant Barrister" shall, with respect to Matters or Proceedings in the County of *Dublin*, be construed as meaning the Chairman of *Kilmainham*, and with respect to Matters or Proceedings in the City of *Dublin*, be construed as meaning the Recorder of the City of *Dublin*:

"Attorney General" shall include Solicitor General or other Chief Law Officer of the Crown in any of Her Majesty's Possessions abroad where there is no Attorney General:

"*British* Possession" shall include Colony, Plantation, Island, Territory, or Settlement belonging to Her Majesty:

"Channel Islands" shall mean the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sark*:

"Collector

"Collector and Comptroller" generally, wherever any Act, Matter, or Thing shall or may be required by this or any other Act of Parliament to be done by or with the Collector and Comptroller of any Port or Place, the same may be done by or with the Collector or Comptroller or other principal acting Officer of Customs at such Port or Place, and be as valid and effectual as if done by or with any Collector and Comptroller:

"Commissioners of the Treasury" shall mean the Lords Commissioners of Her Majesty's Treasury:

"Commissioners of Customs" shall mean the Commissioners of Her Majesty's Customs:

"County" shall mean and include any City, County of a City, County of a Town, Borough, or other Magisterial Jurisdiction, or any Place or District enumerated in Section Two hundred and seventy-four of this Act, unless there be something in the Subject or Context repugnant to such Construction:

"Drawback" shall include Bounty:

"Her Majesty" shall mean Her Majesty, Her Heirs and Successors:

"Justice" shall mean Justice of the Peace, and include Deemster or any other Magistrate:

"Landing Waiter" shall include any Officer duly authorized to superintend the landing and Examination of Goods on their Importation:

"Limits of *East India* Company's Charter" shall mean the *Cape of Good Hope* and all Places and Seas Eastward thereof to the Straits of *Magellan*:

"Master" shall mean the Person having or taking the Charge or Command of any Ship:

"Queen's Warehouse" shall mean any Place provided by the Crown for lodging Goods therein for Security of the Customs:

"Seaman" shall include Mate, Mariner, Sailor, or Landsman, being One of the Crew of any Ship:

"Ship" shall mean Ship or Vessel of any Description, unless used to distinguish a Ship from a Sloop or some other Description of Vessel:

"Warehouse" shall mean any Place in which Goods entered to be warehoused may be lodged, kept, and secured.

As to the Repeal of existing Acts:

CCCLVIII. The several Acts and Parts of Acts set forth in Schedule (A.) to this Act annexed are hereby repealed, to the Extent to which

Acts set forth in Schedule repealed.

which such Acts or Parts of Acts are by such Schedule expressed to be repealed, except as to anything done before the Commencement of this Act, and except so far as relates to any Arrears of Duty or to any Drawback which shall have become due or payable, and except so far as may be necessary for the Purpose of supporting or continuing any Proceeding heretofore taken or to be taken after the Commencement of this Act, and except as to the Recovery or Application of any Penalty for any Offence which shall have been committed or any Forfeiture which shall have been incurred before the Commencement of this Act; and all Orders made by Her Majesty in Council, all Bonds taken or Licences granted, and all Things done under the Authority or in pursuance of any of the Acts hereby repealed, shall nevertheless be valid and effectual.

Orders, &c. under Acts repealed to be valid.

Act to be registered in Royal Courts of Guernsey and Jersey.

CCCLIX. This Act shall be registered in the Royal Courts of the Islands of *Guernsey* and *Jersey* respectively, and the said Royal Courts respectively shall have full Power and Authority and are hereby required to register the same.

Commencement and Short Title of Act.

CCCLX. This Act shall come into operation on the Day of the passing of this Act; and in citing it in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The Customs Consolidation Act, 1853."

SCHE-

SCHEDULE (A.) of Acts to be repealed.

Date of Act.	Title of Act.	Extent of Repeal.
6 Geo. 4. c. 41. -	An Act to repeal the Stamp Duties payable in Great Britain and Ireland upon the Transfer of Property in Ships and Vessels, and upon Bonds and Debentures required to be given in relation to the Duties, Drawbacks, and Bounties of Customs or Excise, and to grant other Duties of Stamps on such Bonds and Debentures.	Section 4, so far as relates to Her Majesty's Customs.
8 & 9 Vict. c. 85. -	An Act for the Management of the Customs -	The whole Act, except Sections 2 and 3.
8 & 9 Vict. c. 86. -	An Act for the general Regulation of the Customs	The whole Act, except Sections 45, 139, and 140, and Section 53, so far as relates to Scotland.
8 & 9 Vict. c. 87. -	An Act for the Prevention of Smuggling -	The whole Act, except Sections 10 and 124.
8 & 9 Vict. c. 90. -	An Act for granting Duties of Customs - -	The whole Act.
8 & 9 Vict. c. 91. -	An Act for the warehousing of Goods - -	The whole Act, except Section 51.
8 & 9 Vict. c. 92. -	An Act to grant Bounties and Allowances of Customs.	The whole Act.
8 & 9 Vict. c. 93. -	An Act to regulate the Trade of British Possessions abroad.	The whole Act.
8 & 9 Vict. c. 94. -	An Act for the regulating the Trade of the Isle of Man.	The whole Act.
9 & 10 Vict. c. 23.	An Act to alter certain Duties of Customs -	The whole Act.
9 & 10 Vict. c. 102.	An Act to amend the Laws relating to the Customs.	The whole Act.
10 Vict. c. 23. -	An Act to alter certain Duties of Customs -	The whole Act.
11 & 12 Vict. c. 60.	An Act to alter the Duties payable upon the Importation of Spirits or Strong Waters.	The whole Act.
11 & 12 Vict. c. 97.	An Act to repeal the Duties of Customs upon the Importation of Sugar, and to impose new Duties in lieu thereof.	The whole Act.
12 & 13 Vict. c. 29.	An Act to amend the Laws in force for the Encouragement of British Shipping and Navigation.	The whole Act, except Sections 7, 8, 9, 17, 18, 19, and 20.
12 & 13 Vict. c. 90.	An Act to amend the Laws relating to the Customs.	The whole Act, except Sections 41, 42, and 43.
13 & 14 Vict. c. 95.	An Act to amend the Laws relating to the Customs.	The whole Act, except Section 14.
14 & 15 Vict. c. 62.	An Act to alter certain Duties of Customs, and to enable the Treasury to regulate the Mode of keeping the Account between the Receiver General of Customs and the Bank of England.	The whole Act.

SCHEDULE (B.)

SCHEDULE (B.) referred to in the foregoing Act.

FORM OF INFORMATION BEFORE JUSTICES OF THE PEACE.

} BE it remembered, That *A.B.*, an Officer of Customs, under the
to wit. } Direction of the Commissioners of Customs, informs me,
One of Her Majesty's Justices of the Peace in and for the
of

COUNT 1.

On Sec. 234. That *C.D.* did unship, or was aiding or concerned in unshipping or otherwise dealing with certain Goods, to wit [*here mention the Goods generally*], contrary to Section 234. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of . , being Treble the Value of the said Goods, [*or* "the Penalty of One hundred Pounds," *as the Case may be*,] for which the Commissioners have elected to sue.

COUNT 2.

On Sec. 235. That *C.D.* being [*or* "not being," *as the Case may be*,] a Subject of Her Majesty, was found or discovered to have been on board a Ship or Boat, Part of the Cargo of which was thrown overboard, *or* staved, *or* destroyed, to prevent Seizure, contrary to Section 235. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has become liable to be imprisoned as is therein directed.

COUNT 3.

On Sec. 235. That *C.D.* being [*or* "not being," *as the Case may be*,] a Subject of Her Majesty, was found or discovered to have been on board a Ship or Boat, contrary to the Section 235. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has become liable to be imprisoned as is therein directed.

COUNT 4.

On Sec. 236. That *C.D.* was found or discovered to have been on board a Ship or Boat within a Port, Bay, Harbour, River, or Creek of the United Kingdom, [*or* "the Channel Islands," *as the Case may be*,] contrary to Section 236. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of One hundred Pounds.

COUNT 5.

On Sec. 198. That *C.D.* did make and subscribe a false Declaration or Document, purporting to be [*here state the Nature of the Document generally*], the same being false and untrue, contrary to Section 198. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of One hundred Pounds.

COUNT 6.

On Sec. 198. That *C.D.* did untruly answer a certain Question put to him by an Officer of Customs, contrary to Section 198. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of One hundred Pounds.

SCHEDULE (B.)

COUNT 7.

That *C.D.* did counterfeit or falsify [*or* "wilfully use when counterfeited or falsified," *as the Case may be,*] a certain Document purporting to be [*here state the Nature of the Document generally*], contrary to Section 198. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of One hundred Pounds. On Sec. 198.

COUNT 8.

That *C.D.* did fraudulently alter [*or* counterfeit, *as the Case may be,*] the Seal, Signature, Initials, or Mark of or used by an Officer of Customs, contrary to Section 198. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of One hundred Pounds. On Sec. 198.

COUNT 9.

That a certain Vessel or Boat called the , whereof *C.D.* was Owner, [*or* Master, *as the Case may be,*] was unlawfully used in importing, landing, removing, carrying, or conveying of certain uncustomed or prohibited Goods; to wit, [*here mention generally the Goods,*] contrary to Section 203. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , which the Commissioners of Customs have directed to be sued for in this Case. On Sec 203.

COUNT 10.

That *C.D.* was driving or conducting a Cart, Waggon, or other Conveyance, and refused to stop, or to allow the Examination thereof, when required in the Queen's Name, contrary to Section 220. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of One hundred Pounds. On Sec. 220.

COUNT 11.

That *C.D.*, an Officer of Police, having detained certain Goods, to wit, [*here mention generally the Goods,*] on Suspicion of their being stolen, neglected to convey the same to the proper Warehouse, [*or* neglected to give Notice thereof to the Commissioners of Customs, *as the Case may be,*] contrary to Section 225. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of Twenty Pounds. On Sec. 225.

COUNT 12.

That *C.D.* obstructed a Person duly employed for the Prevention of Smuggling, contrary to Section 229. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of One hundred Pounds. On Sec. 229.

COUNT 13.

That *C.D.* denied the Possession of certain Foreign Goods, to wit, [*here mention generally the Goods,*] which were afterwards found to be [*or* "to have been," *as the Case may be,*] in his Possession, contrary to Section 229. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , being Treble the Value of the said Goods. On Sec. 229.

COUNT 14.

That *C.D.*, an Officer of , did, without reasonable Ground, require a certain Person, to wit, one *E.F.*, to be searched, contrary to Section 231. On Sect. 231.

SCHEDULE (B) 231. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of Ten Pounds.

COUNT 15.

On Sec. 232. That *C.D.* was concerned in importing certain prohibited or restricted Goods, to wit, [*here mention generally the Goods,*] contrary to Section 232. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , being Treble the Value of the said Goods, [*or* "the Penalty of One hundred Pounds," *as the Case may be,*] for which the Commissioners of Customs have elected to sue.

COUNT 16.

On Sec. 232. That *C.D.* was concerned in unshipping or otherwise dealing with certain prohibited, restricted, or uncustomed Goods, to wit, [*here mention generally the Goods,*] contrary to Section 232. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , being Treble the Value of the said Goods, [*or* "the Penalty of One hundred Pounds," *as the Case may be,*] for which the Commissioners of Customs have elected to sue.

COUNT 17.

On Sec 232. That *C.D.* was concerned in the illegal Removal of certain Goods, to wit, [*here mention generally the Goods,*] from a Warehouse, or otherwise illegally dealing with the same after they had been so removed, contrary to the Provisions of Section 232. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , being Treble the Value of the said Goods, [*or* "the Penalty of One hundred Pounds," *as the Case may be,*] for which the Commissioners of Customs have elected to sue.

COUNT 18.

On Sec 232. That *C.D.* was knowingly concerned in evading Duties of Customs upon or in dealing with certain Goods, to wit, [*here mention generally the Goods,*] with Intent to defraud Her Majesty of the Duties of Customs in respect thereof, contrary to Section 232. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , being Treble the Valu- of the Goods, [*or* "the Penalty of One hundred Pounds," *as the Case may be,*] for which the Commissioners of Customs have elected to sue.

COUNT 19.

On Sec. 233. That *C.D.* was concerned in the Removal of certain Goods, to wit, [*here mention generally the Goods,*] or otherwise dealing with the same, contrary to Section 233. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , being Treble the Value of the said Goods, [*or* "the Penalty of One hundred Pounds," *as the Case may be,*] for which the Commissioners of Customs have elected to sue.

COUNT 20.

On Sec. 241. That *C.D.* offered certain Goods for Sale, to wit, [*here mention generally the Goods,*] contrary to Section 241. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , being Treble the Value of the said Goods.

SCHEDULE (B.)

COUNT 21.

On Sec. 247.

That *C.D.* was concerned in the assembling of Persons contrary to Section 247. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has become liable to be imprisoned as is therein directed.

COUNT 22.

On Sec. 247.

That *C.D.* obstructed Persons employed for the Prevention of Smuggling, *or* was concerned in the Rescue *or* Attempt at Rescue of seized Goods, *or* in the Destruction *or* Attempt at Destruction thereof, contrary to Section 247. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has become liable to be imprisoned as is therein directed.

COUNT 23.

That certain Goods, to wit, [*here mention generally the Goods,*] were seized on the Day of for being dealt with contrary to Section [*here insert the Section in Figures*] of "The Customs Consolidation Act, 1853," whereby the said Goods have become liable to Forfeiture, and that *C.D.* of has claimed the same.

COUNT 24.

On Sec. 274.

That *C.D.*, being summoned as a Witness, did neglect or refuse to appear, *or, having appeared*, did refuse to take Oath *or* affirm, *or* give Evidence, *or* answer, contrary to Section 274 of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of

Exhibited to and before me
the Day of
in the Year of our Lord

Form of Summons on Information.

To [*C.D.*]

to wit. WHEREAS an Information has been exhibited by [*A.B.*] an Officer of Customs, under the Direction of the Commissioners of Customs, before me , One of Her Majesty's Justices of the Peace for the of , in the following Form [*here copy the Information*].

This is therefore to require you personally to appear before me, or such other Justice or Justices of the Peace as may be present at , in the of , on the Day of next ensuing, at the Hour of o'Clock in the Forenoon of said Day, to answer the said Information.

Given under my Hand and Seal at , in the of this Day of in the Year of our Lord

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SCHEDULE (B.)

Form of Summons on Information for Condemnation of Seizures.

To of
in the of .

to wit. } AN Information having been preferred by [*A.B.*] an Officer of Customs, under the Direction of the Commissioners of Customs, before me One of Her Majesty's Justices of the Peace for the of , for the Condemnation of [*here state the Goods*] seized on the Day of in the Year of our Lord , for being dealt with contrary to Section of "The Customs Consolidation Act, 1853," and claimed by you.

This is to require you to appear before me, or such other Justice or Justices of the Peace as may be present at , in the of on the Day of next ensuing, at the Hour of o'Clock in the Forenoon of said Day, to show Cause why the said Goods should not be condemned as forfeited.

Given under my Hand and Seal at , in the of this Day of in the Year of our Lord

Form of Summons for Witnesses.

To

to wit. { YOU are hereby required personally to be and appear, on the Day of next ensuing, at the Hour of o'Clock in the Forenoon, at in the of , before me, or such other of Her Majesty's Justices of the Peace for the said of as may be then and there present, to give Evidence and testify the Truth, according to your Knowledge, concerning the Facts alleged in a certain Information exhibited against *C.D.* under the Customs Consolidation Act 1853, and herein fail not, under the Penalty therein provided.

Given under my Hand and Seal, at in the of , this Day of in the Year of our Lord

Form of Conviction.

to wit. } BE it remembered, That on this Day of in the Year of our Lord , at in the of , *C.D.* is convicted before me [*or* us *as the Case may be,*] of Her Majesty's Justices of the Peace for the of : For that he the said *C.D.*, within Three Years now last past [*here state the Offence as in the Information*], and [*where the Party has been convicted of an Offence punishable by pecuniary Penalty and Imprisonment in default of Payment,*] I, *or* we, adjudge the said *C.D.* for his said Offence to forfeit and pay the Sum of ; which [*if such be the Case,*] I, *or* we, mitigate to the Sum of ; and if the said Sum of be not forthwith paid, I, *or* we, adjudge the said *C.D.* to be imprisoned in Her Majesty's Gaol at in the of until the same be paid, [*or where it shall have been so adjudicated add, instead of the Words* "until the same be paid," for the Period of Six Months,] unless he shall sooner pay the said Sum of *or* [*where the Party has been convicted of an Offence punishable by Imprisonment with Hard Labour,*] I, *or* we, adjudge the said *C.D.*,

C.D. for his said Offence [*and where the Party has been previously convicted insert here,* " he having been previously convicted,"] to be imprisoned in Her Majesty's House of Correction at in the of , and there kept to Hard Labour for the Period of Months.

SCHEDULE (B.)

Given under Hand and Seal at in the of ; this Day of in the Year of our Lord .

Form of Commitment for Nonpayment of a pecuniary Penalty.

} To [*A.B.*] an Officer of Customs, and to the Gaoler or Keeper of
to wit. } the Gaol at in the of
[*C.D.*] having been this Day convicted before me [*or* us, *as the Case may be,*] of Her Majesty's Justices of the Peace in and for the of , upon the Information of [*A.B.*] an Officer of Customs, under the Direction of the Commissioners of Customs, of having, within Three Years now last past, [*here state the Offence generally, and the Date thereof,*] I [*or* we, *as the Case may be,*] did adjudge that the said [*C. D.*] had forfeited for his said Offence the Sum of [*adding, if mitigated,*] which I [*or* we, *as the Case may be,*] mitigated to the Sum of , which has not been paid.

This is to command you forthwith to convey the said [*C. D.*] to the Gaol at in the of , and to deliver him into the Custody of the Gaoler *or* Keeper of the said Gaol.

And I [*or* we] the said Justice *or* Justices [*as the Case may be,*] do hereby authorize and require you, the said Gaoler or Keeper of the said Gaol, to receive the said [*C.D.*] into your Custody, and him safely to keep in your said Gaol until he shall duly pay the said Sum of or be discharged according to Law [*or, if it be so adjudicated, insert, instead of what follows the Word* " Gaol," for the Period of Six Months, unless he shall sooner pay the said Sum of].

Given under Hand and Seal , at in the of , this Day of in the Year of our Lord

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Form of Commitment to Hard Labour.

} To [*A.B.*] an Officer of Customs, and to the Gaoler or Keeper of the
to wit. } House of Correction at in the of

C.D. having been this Day duly convicted before me [*or* us, *as the Case may be,*] of Her Majesty's Justices of the Peace for the of upon the Information of [*A.B.*] an Officer of Customs, under the Direction of the Commissioners of Customs, of having, within Three Years now last past, [*here state the Offence generally* [*and Date thereof,*] I [*or* we, *as the Case may be,*] did adjudge that the said [*C. D.* should for his said Offence [*if previously convicted, say,* " he having been previously convicted,"] be imprisoned in the House of Correction at in the said of , and be there kept to Hard Labour for the Period of Months.

This is to command you forthwith to convey the said [*C.D.*] to the House of Correction at in the of ,

and

SCHEDULE (B.)

and to deliver him into the Custody of the Gaoler or Keeper of the said House of Correction, and I [*or* we,] the said Justice *or* Justices, [*as the Case may be,*] do hereby authorize and require you, the said Gaoler or Keeper of the said House of Correction, to receive and take the said [*C.D.*] into your Custody, and him safely to keep to Hard Labour in your said House of Correction for the Period of Months.

Given under Hand and Seal, at in the of , this Day of in the Year of our Lord

---

Form of Condemnation of seized Goods.

} to wit. } BE it remembered, That an Information having been exhibited by [*A.B.*] an Officer of Customs, under the Direction of the Commissioners of Customs, before me , One of Her Majesty's Justices of the Peace for the said of , for the Condemnation of [*here state the Goods,*] for being dealt with contrary to Section of "The Customs Consolidation Act, 1853," whereby the same became liable to Forfeiture, and which said Goods having been claimed by [*C.D.*] of , who was duly summoned to show Cause why the same should not be condemned as forfeited, and the Forfeiture thereof having been duly proved before me, *or* us, [*as the Case may be,*] I, *or* we, [*as the Case may be,*] do adjudge the same to be forfeited, and do condemn the same accordingly.

Given under Hand and Seal at in the of , this Day of in the Year of our Lord

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TABLE

TABLE OF FEES referred to in the foregoing Act.

In Cases summarily disposed of under Section 239.

	£	s.	d.
Convening Justices in One or more Cases on the same Day -	0	2	6
Attendance in each Case of Detention for the same Offence:—			
Where One Person detained - - - -	0	5	0
Two ditto - - - -	0	7	6
Three or more, ditto - - - -	0	10	6

In Cases of Detention and Remand.

Convening Justices in One or more Cases on the same Day -	0	2	6
Taking Information of Officer to ground Warrant of Detention against One or more Persons for the same Offence, and Oath -	0	2	6
Warrant of Detention for One Defendant only -	0	1	6
" for each additional Defendant - -	0	0	6
Recognizance for Defendant's Appearance - - -	0	2	6
Convening Justices to hear One or more Cases of Remand on the same Day - - - - - - -	0	5	0
Each Summons to Witnesses, when required - - -	0	2	0
Each Information exhibited - - - - -	0	2	6
Each Witness examined, where Examination does not exceed Two Folios, and Oath - - - - - -	0	1	0
Each additional Folio beyond the Two first - - -	0	0	8
Taking down Prisoner's Reply, if any, to Charge - -	0	1	0
Recording Conviction or Acquittal - - -	0	2	6
Warrant of Commitment - - - - -	0	3	0
Copy for Revenue Solicitor - - - -	0	1	0
Engrossing Conviction on Parchment to file, and transmitting same to Clerk of Peace - - - - - -	0	6	0

In Cases where the Parties are proceeded against by Summons.

Convening Justices to receive Information in One or more Cases for the same Day - - - - - -	0	2	6
Each Information exhibited - - - -	0	2	6
Summons for Defendant's Appearance - - - -	0	2	0
Duplicate - - - - - -	0	1	0
Convening Justices in One or more Cases for Hearing on the same Day - - - - - - - -	0	5	0
Each Summons for Witnesses - - - -	0	2	0
Each Witness examined, where Examination does not exceed Two Folios, and Oath - - - - - -	0	1	0
Every additional Folio beyond the Two first - -	0	0	8
Taking down Statement, if any, of Party accused - -	0	1	0
Recording Conviction or Acquittal - - -	0	2	6
Warrant of Commitment - - - - -	0	3	0
Copy for Revenue Solicitor - - - -	0	1	0
Engrossing Conviction on Parchment to file, and transmitting same to Clerk of Peace - - - - - -	0	6	0

GENERAL PROSECUTIONS AT THE INSTANCE OF THE COMMISSIONERS OF CUSTOMS.

In Cases where Parties are brought before the Justices for Offences determinable at Sessions or Assizes.

	£	s.	d.
Convening Justices when required - - - -	0	2	6
Information and Oath to ground Warrant or Summons - -	0	2	6
Summons to compel Party's Appearance - - -	0	2	0
Duplicate - - - - - -	0	1	0
Warrant for Apprehension of Offender - - - -	0	3	0
Taking Depositions of Witnesses, per Folio - - -	0	0	8
Copies ditto for Revenue Solicitor, when required, per Folio -	0	0	4
Warrant of Commitment - - - -	0	2	6
Recognizance to prosecute and give Evidence - - -	0	2	6
Recognizance to give Evidence, whatever the Number of Witnesses included therein - - - - -	0	2	6
Each Notice of Recognizance to prosecute or give Evidence -	0	1	0

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1853.

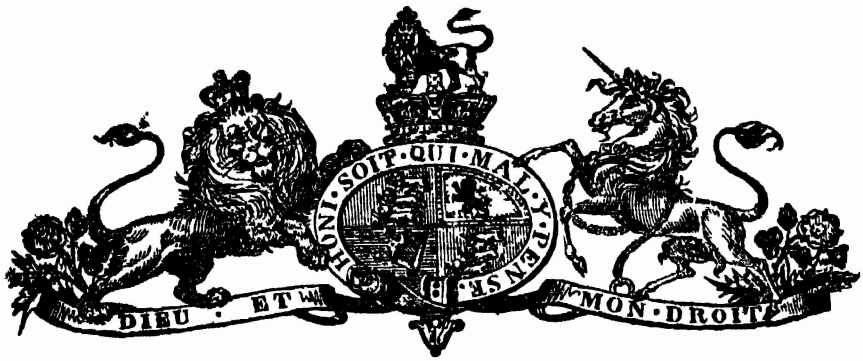
ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

said Provisions of the said Act shall continue until the First Day of *August* One thousand eight hundred and fifty-four, and to the End of the then next Session of Parliament.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1853.



ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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United Kingdom of Great Britain and Ireland, and the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland, or the Lord High Treasurer of the United Kingdom of Great Britain and Ireland, for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

The Treasury may cause 10,634,087*l.* 2*s.* 4*d.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1., 4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.

II. It shall be lawful for the said Commissioners of Her Majesty's Treasury from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of Her Majesty's Exchequer at Westminster for any Sum or Sums of Money not exceeding in the whole the Sum of Ten millions six hundred thirty-four thousand and eighty-seven Pounds Two Shillings and Fourpence; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in an Act passed in the Forty-eighth Year of the Reign of His Majesty King George the Third, intituled "An Act for "regulating the issuing and paying off of Exchequer Bills," and in another Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His late Majesty King William the Fourth, intituled "An Act to regulate the Office of the Receipt of "His Majesty's Exchequer at Westminster," and in another Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled "An Act for "further regulating the Preparation and Issue of Exchequer Bills."

The Clauses, &c. in recited Acts extended to this Act.

III. All and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Acts shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said several Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities had been particularly repeated and re-enacted in the Body of this Act.

Interest on Exchequer Bills.

IV. The Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Threepence Halfpenny per Centum per Diem upon or in respect of the whole of the Monies respectively contained therein.

Bank of England may advance 10,634,087*l.* 2*s.* 4*d.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

V. It shall be lawful for the Governor and Company of the Bank of England, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to Her Majesty, at the Receipt of the Exchequer at Westminster, upon the Credit of the Sum

Sum granted by this Act, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, any Sum or Sums of Money not exceeding in the whole the Sum of Ten millions six hundred thirty-four thousand and eighty-seven Pounds Two Shillings and Fourpence, anything in an Act passed in the Fifth and Sixth Years of the Reign of King William and Queen Mary, intituled "An Act "for granting to Their Majesties several Rates and Duties upon "the Tonnage of Ships and Vessels, and upon Beer, Ale, and other "Liquors, and for securing certain Recompences and Advantages "in the said Act mentioned to such Persons as shall voluntarily "advance the Sum of One million five hundred thousand Pounds "towards carrying on the War against France," or in any other Act or Acts, to the contrary notwithstanding.

Bills prepared by virtue of this Act to be delivered to the Bank as Security for such Advances.

VI. It shall be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby authorized and empowered, to cause such Bills as shall be prepared by virtue of this Act to be delivered from Time to Time to the Governor and Company of the Bank of England, in such Proportions as the Public Service may require, as Security for any Advance or Advances which may be made to Her Majesty by the said Governor and Company of the Bank of England under the Authority of this Act.

Monies raised by Bills to be applied to the Services voted by the Commons.

VII. It shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of Great Britain and Ireland in this present Session of Parliament.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

VIII. The Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of Great Britain and Ireland in the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the said Commissioners of Her Majesty's Treasury for the Time being, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Comptroller General of the Receipt of the Exchequer at Westminster, in such Manner as they shall think necessary, to grant a Credit on the Exchequer Funds in the Bank of England unto such Person or Persons as shall be named in the said Warrant, which Credit shall be chargeable on and paid out of the growing Produce of the said Consolidated Fund of the next succeeding Quarter to that in which the said Exchequer Bills have been issued, for any Sum or Sums of Money not exceeding in the

the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

Treasury may apply, for the Service of the Year 1853, 355,143*l.* 4*s.* 8*d.*, Surplus of Ways and Means.

IX. There shall and may be issued and applied, for or towards making good the Supply granted to Her Majesty for the Service of the Year One thousand eight hundred and fifty-three, the Sum of Three hundred fifty-five thousand one hundred and forty-three Pounds Four Shillings and Eightpence, being the Surplus of Ways and Means granted for the Service of preceding Years, and the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland or the Lord High Treasurer of the said United Kingdom are or is hereby authorized and empowered to issue and apply the same accordingly.

Appropriation of Ways and Means to Services hereafter expressed.

16 & 17 Vict. c. 6.

16 & 17 Vict. c. 12.

16 & 17 Vict. c. 25.

16 & 17 Vict. c. 31.

X. All the Monies coming into the Exchequer of the United Kingdom of Great Britain and Ireland by an Act passed in this Session of Parliament, intituled "An Act to apply the Sum of Two "Millions to the Service of the Year One thousand eight hundred "and fifty-three," and also the Sum of Eight million Pounds granted by one other Act passed in this Session of Parliament, intituled "An "Act to apply the Sum of Eight Millions out of the Consolidated "Fund to the Service of the Year One thousand eight hundred and "fifty-three," and also the Sum of Seventeen millions seven hundred and forty-two thousand five hundred Pounds granted by one other Act passed in this Session of Parliament, intituled "An Act for raising "the Sum of Seventeen millions seven hundred and forty-two thou-"sand five hundred Pounds by Exchequer Bills for the Service of the "Year One thousand eight hundred and fifty-three," and also the Sum of Four million Pounds granted by one other Act passed in this Session of Parliament, intituled "An Act to apply the Sum of "Four Millions out of the Consolidated Fund to the Service of the "Year One thousand eight hundred and fifty-three," and also the respective Sums of Ten millions six hundred thirty-four thousand and eighty-seven Pounds Two Shillings and Fourpence, and of Three hundred fifty-five thousand one hundred and forty-three Pounds Four Shillings and Eightpence, by this Act granted, shall be further appropriated and are hereby appropriated, and shall be issued and applied, for and towards the several Uses and Purposes hereafter expressed.

XI. And whereas, in order to provide for the Exigencies of the Naval Service, it has been necessary to incur an Expenditure for Naval Services beyond the Grants for the Year ending Thirty-first Day of March One thousand eight hundred and fifty-three, amounting to Two hundred thirteen thousand and one hundred Pounds: Be it enacted,

enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One hundred thousand Pounds, for the necessary Expenses of Steam Machinery for Naval Purposes during the Year ending on the Fifth Day of April One thousand eight hundred and fifty-three; and any Sum or Sums of Money not exceeding Seventy-three thousand nine hundred and seventy-one Pounds, to defray the Charge of Wages to Six thousand five hundred additional Seamen and Marines, which will come in course of Payment to the Thirty-first Day of March One thousand eight hundred and fifty-three, also of Clothing, Necessaries, and Barrack Stores for the additional Marines; and any Sum or Sums of Money not exceeding One thousand two hundred Pounds, to defray the Charge of Medicines and Medical Stores for additional Seamen and Marines, which will come in course of Payment to the Thirty-first Day of March One thousand eight hundred and fifty-three; and any Sum or Sums of Money not exceeding Thirty-seven thousand nine hundred and twenty-nine Pounds, to defray the Charge of Victuals to additional Seamen and Marines, which will come in course of Payment to the Thirty-first Day of March One thousand eight hundred and fifty-three.

There shall be issued 100,000*l.* for Steam Machinery for Naval Purposes;

73,971*l.* for Wages for 6,500 additional Seamen and Marines;

1,200*l.* for Medicines, &c. for ditto;

37,929*l.* for Victuals, &c. for ditto.

XII. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Seven millions one hundred twenty thousand seven hundred and five Pounds, for or towards the Navy Services herein-after more particularly mentioned; that is to say, any Sum or Sums of Money not exceeding One million seven hundred thirty-six thousand two hundred and thirty-six Pounds, to defray the Charge of Wages to Forty-five thousand five hundred Seamen and Marines, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Six hundred fifteen thousand four hundred and twenty-six Pounds, to defray the Charge of Victuals to Seamen and Marines in Her Majesty's Fleet, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One hundred thirty-seven thousand two hundred and forty-five Pounds, to defray the Salaries of the Officers and the contingent Expenses of the Admiralty Office, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Thirty-four thousand nine hundred and thirty-nine Pounds, to defray the Salaries of the Officers and the contingent Expenses of the several Scientific Departments of the Navy, which will come in course of Payment during the Year ending on

There shall be issued 7,120,705*l.* for Navy Services; viz.

1,736,236*l.* for Wages to 45,500 Seamen and Marines;

615,426*l.* for Victuals, &c. in the Navy;

137,245*l.* for Salaries, &c. of the Admiralty Office;

34,939*l.* for the Navy Scientific Departments;

134,230*l.* for Naval Establishments at home;

on the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One hundred thirty-four thousand two hundred and thirty Pounds, to defray the Salaries of the Officers and the contingent Expenses of Her Majesty's Naval Establishments at home, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four;

22,764*l.* for Naval Establishments abroad;

and any Sum or Sums of Money not exceeding Twenty-two thousand seven hundred and sixty-four Pounds, to defray the Salaries of the Officers and the contingent Expenses of Her Majesty's Naval Establishments abroad, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four;

683,648*l.* for Wages of Artificers, &c. at home;

and any Sum or Sums of Money not exceeding Six hundred eighty-three thousand six hundred and forty-eight Pounds, to defray the Charge of Wages to Artificers, Labourers, and others employed in Her Majesty's Naval Establishments at home, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four;

35,566*l.* for Wages of Artificers, &c. abroad;

and any Sum or Sums of Money not exceeding Thirty-five thousand five hundred and sixty-six Pounds, to defray the Charge of Wages to Artificers, Labourers, and others employed in Her Majesty's Naval Establishments abroad, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four;

1,023,011*l.* for Naval Stores, &c.;

and any Sum or Sums of Money not exceeding One million twenty-three thousand and eleven Pounds, to defray the Expense of Naval Stores for the Building, Repair, and Outfit of the Fleet, the Purchase of Steam Machinery, and for other Purposes connected therewith, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four;

256,948*l.* for new Works in Naval Establishments;

and any Sum or Sums of Money not exceeding Two hundred fifty-six thousand nine hundred and forty-eight Pounds, to defray the Charge of new Works, Improvements, and Repairs in the Naval Establishments, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four;

26,000*l.* for Medicines, &c.;

and any Sum or Sums of Money not exceeding Twenty-six thousand Pounds, to defray the Charge of Medicines and Medical Stores, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four;

57,427*l.* for Naval Miscellaneous Services;

and any Sum or Sums of Money not exceeding Fifty-seven thousand four hundred and twenty-seven Pounds, to defray the Charge of divers Naval Miscellaneous Services, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four;

687,575*l.* for Naval Half Pay, &c.;

and any Sum or Sums of Money not exceeding Six hundred eighty-seven thousand five hundred and seventy-five Pounds, to defray the

the Charge of Half Pay, reserved Half Pay, and Retirement to Officers of the Navy and Royal Marines, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Four hundred eighty-three thousand one hundred and thirty-four Pounds, to defray the Charge of Military Pensions and Allowances, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One hundred forty-eight thousand three hundred and ninety-four Pounds, to defray the Charge of Civil Pensions and Allowances which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One hundred fifty-two thousand nine hundred and fifty Pounds, to defray the Charge for the Freight of Ships, and for the Victualling and Conveyance of Troops and Stores on account of the Army and Ordnance Departments, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Fifty thousand Pounds, to defray the Charges for the Royal Naval Coast Volunteers, which will come in course of Payment in the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Eight hundred thirty-five thousand two hundred and twelve Pounds, to defray the Charge of the Post Office Packet Service, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four.

483,134*l.* for Military Pensions;

148,394*l.* for Civil Pensions;

152,950*l.* for Freight of Ships, &c. for Army and Ordnance Services;

50,000*l.* for Royal Naval Coast Volunteers;

835,212*l.* for Packet Service.

XIII. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Seven million sixty thousand eight hundred and eighty-two Pounds, for or towards the Army Services herein-after more particularly mentioned; (that is to say,) any Sum or Sums of Money not exceeding Three million six hundred twenty-five thousand seven hundred and eighty-three Pounds, for defraying the Charge of Her Majesty's Land Forces in the United Kingdom of Great Britain and Ireland and on Foreign Stations (excepting India), which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four inclusive; and any Sum or Sums of Money not exceeding One hundred sixty-two thousand eight hundred and ninety-seven Pounds, for defraying the Charge of General Staff Officers and Officers of the Hospitals serving with Her Majesty's Forces in the United Kingdom of Great Britain and

There shall be issued 7,060,882*l.* for Army Services, viz.

3,625,783*l.* for Forces in U.K. and Stations abroad (except the East Indies);

162,897*l.* for General Staff Officers, &c.;

and Ireland and on Foreign Stations (excepting India), which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four inclusive; and any Sum or Sums of Money not exceeding Ninety-eight thousand four hundred and sixty-four Pounds, for defraying the Charge of Allowances and contingent Expenses of the several Public Departments of Her Majesty's Land Forces, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty four inclusive; and any Sum or Sums of Money not exceeding Sixteen thousand eight hundred and eighty-eight Pounds, for defraying the Charge of the Royal Military College, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four inclusive; and any Sum or Sums of Money not exceeding Eighteen thousand and twenty Pounds, for defraying the Charge of the Royal Military Asylum and Hibernian Military School, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four inclusive; and any Sum or Sums of Money not exceeding Eighty-eight thousand Pounds, for defraying the Charge of Volunteer Corps, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four inclusive; and any Sum or Sums of Money not exceeding Twenty thousand two hundred and fifty Pounds, for defraying the Charge of Allowances as Rewards for distinguished Services, of Allowances to Officers of Her Majesty's Garrisons, including the Garrison of the Tower of London, and of Allowances to Serjeants as Rewards for distinguished or meritorious Service, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four inclusive; and any Sum or Sums of Money not exceeding Fifty-five thousand Pounds, for defraying the Charge of the Pay of General Officers of Her Majesty's Forces, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four inclusive; and any Sum or Sums of Money not exceeding Fifty thousand Pounds, for defraying the Charge of Full Pay for Reduced and Retired Officers of Her Majesty's Forces, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four inclusive; and any Sum or Sums of Money not

98,464*l.* for Allowances to Officers, &c. of public Military Departments;

16,888*l.* for Royal Military College;

18,020*l.* for Royal Military Asylum, &c.;

88,000*l.* for Volunteer Corps;

20,250*l.* for Rewards for distinguished Military Services;

55,000*l.* for Pay of General Officers;

50,000*l.* for Full Pay for Retired Officers;

not exceeding Three hundred and fifty-eight thousand Pounds, for defraying the Charge of Half Pay and Military Allowances to Reduced and Retired Officers of Her Majesty's Land Forces, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four inclusive; and any Sum or Sums of Money not exceeding Thirty-four thousand six hundred and twenty-eight Pounds, for defraying the Charge of Half Pay and Reduced Allowances of disbanded Foreign Corps, of Pensions to wounded Foreign Officers, and of the Allowances to the Widows and Children of deceased Foreign Officers, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four inclusive; and any Sum or Sums of Money not exceeding One hundred seventeen thousand six hundred and thirty-seven Pounds, for defraying the Charge of Pensions to be paid to Widows of Officers of Her Majesty's Land Forces, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four inclusive; and any Sum or Sums of Money not exceeding Seventy-nine thousand five hundred Pounds, for defraying the Charge of Allowances on the Compassionate List, of Allowances as of Her Majesty's Royal Bounty, and of Pensions, Gratuities, and Allowances to Officers for Wounds, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four inclusive; and any Sum or Sums of Money not exceeding Twenty-eight thousand one hundred and forty-nine Pounds, for defraying the Charge of Chelsea and Kilmainham Hospitals, and the In-Pensioners thereof, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four inclusive; and any Sum or Sums of Money not exceeding One million two hundred thirty-five thousand and eight hundred Pounds, for defraying the Charge of the Out-Pensioners of Chelsea Hospital, of Pensions granted to discharged Negro Soldiers, of Pensioners from Hanoverian Corps which served with the British Army in One thousand seven hundred and ninety-three, One thousand seven hundred and ninety-four, and One thousand seven hundred and ninety-five, and of the Military Organization of Out-Pensioners, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four inclusive; and any Sum or Sums of Money not exceeding Thirty-six thousand Pounds, for defraying the Charge of Allowances, Compensations, and Emoluments in the Nature of Superannuation or Retired Allowance

358,000*l.* for Half Pay for Retired Officers;

34,628*l.* for Half Pay for Officers of disbanded Foreign Corps, &c.;

117,637*l.* for Pensions to Widows;

79,500*l.* for Compassionate List, &c.;

28,149*l.* for In-Pensioners of Chelsea and Kilmainham Hospitals;

1,235,800*l.* for Out-Pensioners of Chelsea Hospital, &c.;

36,000*l.* for Superannuations in Military Public Departments;

Allowances to Persons formerly belonging to Public Departments, which will come in course of Payment from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four inclusive; and any Sum or Sums of Money not exceeding Five hundred eleven thousand eight hundred and eighty-seven Pounds, to defray the Charge of the Commissariat Department, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Forty-five thousand two hundred and thirty-nine Pounds, to defray the Charge of Half Pay, Pensions, and Allowances in the Commissariat Department, which will come in course of Payment during the Year ending on the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Four hundred seventy-eight thousand seven hundred and forty Pounds, to defray the Charge of the Militia of Great Britain and Ireland, from the First Day of April One thousand eight hundred and fifty-three to the Thirty-first Day of March One thousand eight hundred and fifty-four, both Days inclusive.

511,887*l.* for Commissariat Department;

45,239*l.* for Half Pay of Commissariat Department;

478,740*l.* for Militia.

XIV. And whereas, in order to provide for the Exigencies of the Ordnance Service, it has been necessary to incur an Expenditure for Ordnance Services beyond the Grants for the Year ending Thirty-first Day of March One thousand eight hundred and fifty-three, amounting to Ninety-two thousand six hundred and fifty-eight Pounds: Be it enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Seventy thousand eight hundred and twenty-five Pounds, for defraying the Charge which will probably be incurred to the Thirty-first Day of March One thousand eight hundred and fifty-three for the Levy Money, Maintenance, and Clothing of Men to be raised for the Purpose of augmenting the Royal Regiment of Artillery, including the Purchase of One thousand Horses; and any Sum or Sums of Money not exceeding Five thousand one hundred and thirty-three Pounds, for defraying the Charge which will probably be incurred to the Thirty-first Day of March One thousand eight hundred and fifty-three in providing Forage for One thousand Horses; and any Sum or Sums of Money not exceeding Two thousand seven hundred Pounds, for defraying the Charge which will probably be incurred to the Thirty-first Day of March One thousand eight hundred and fifty-three for additional Labour in making up Ammunition; and any Sum or Sums of Money not exceeding Fourteen thousand Pounds, for defraying the Charge which will probably be incurred to the Thirty-first Day of March One thousand eight hundred and fifty-three for the Purchase of heavy Iron Ordnance and for Projectiles, &c.

There shall be issued 70,825*l.* for Levy Money, &c., for Augmentation of Royal Artillery;

5,133*l.* for Forage for ditto;

2,700*l.* for additional Labour on Ammunition;

14,000*l.* for Purchase of heavy Iron Ordnance, &c.

XV. Out

Consolidated Fund (Appropriation).

XV. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Three millions fifty-three thousand five hundred and sixty-seven Pounds, for or towards the Ordnance Services hereinafter more particularly mentioned; (that is to say,) any Sum or Sums of Money not exceeding Eight hundred seven thousand five hundred and seven Pounds, to defray the Expense of the Pay, Allowances, and Contingencies of the Ordnance Military Corps, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Three hundred seventy-three thousand two hundred and seventeen Pounds, to defray the Expense of Commissariat and Barrack Supplies for Her Majesty's Forces, Great Coats for the Army, and Clothing for the Militia, &c., which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Seventy-three thousand nine hundred and sixty-nine Pounds, to defray the Expense of the Ordnance Office, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Two hundred ninety-one thousand six hundred and fifty-seven Pounds, to defray the Expense of the Establishments at home and abroad, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One hundred forty-one thousand four hundred and thirty-seven Pounds, to defray the Expense of Wages at home and abroad, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Three hundred seventy-one thousand six hundred and ninety-seven Pounds, to defray the Expense of Ordnance Stores for Land and Sea Service, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Six hundred ninety-five thousand six hundred and fifty-five Pounds, to defray the Expense of Works, Buildings, and Repairs at home and abroad, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One hundred twenty-seven thousand two hundred and thirteen Pounds, to defray the Expense of the Scientific Branch which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One hundred seventy-one thousand two hundred and fifteen Pounds, to defray the Expense of Non-effective Services, Military and Civil,

There shall be issued 3,053,567*l.* for Ordnance Services; viz.

807,507*l.* for Pay of Ordnance Military Corps;

373,217*l.* for Commissariat and Barrack Supplies, &c.;

73,969*l.* for Expense of Ordnance Office;

291,657*l.* for Establishments at home and abroad;

141,437*l.* for Wages, &c.;

371,697*l.* for Ordnance Stores for Land and Sea Service;

695,655*l.* for Works and Repairs;

127,213*l.* for Scientific Branch;

171,215*l.* for Non-effective Services.

Civil, which will come in course of Payment during the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-four.

There shall be issued 200,000*l.* for the Kafir War.

XVI. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Two hundred thousand Pounds, towards defraying the Expenses of the Kafir War, beyond the ordinary Grants for Army, Navy, Ordnance, and Commissariat Services, to the Thirty-first Day of March One thousand eight hundred and fifty-four.

There shall be issued 17,742,500*l.* to pay off Exchequer Bills of 1853;

and 2,000,000*l.* to discharge Supplies for 1852, or for any preceding Year.

XVII. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Seventeen millions seven hundred and forty-two thousand five hundred Pounds, to pay off and discharge Exchequer Bills charged on the Aids of One thousand eight hundred and fifty-three unprovided for; and any Sum or Sums of Money not exceeding Two million Pounds, to discharge the like Amount of Supplies granted for the Service of the Year One thousand eight hundred and fifty-two or any preceding Year.

There shall be issued 150,000*l.* for Purchase of Land at Kensington, &c.

80,000*l.* for Funeral of the Duke of Wellington.

XVIII. And whereas, in order to provide for the Exigencies of the Civil Service, it has been necessary to incur an Expenditure for Civil Services beyond the Grants for the Year ending Thirty-first Day of March One thousand eight hundred and fifty-three, amounting to Two hundred and thirty thousand Pounds: Be it enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One hundred and fifty thousand Pounds, towards defraying in the Year One thousand eight hundred and fifty-two—fifty-three the Purchase of Land at Kensington Gore for Institutions connected with Science and Art in aid of the Funds already appropriated thereto by Her Majesty's Commissioners of the Exhibition of One thousand eight hundred and fifty-one; and any Sum or Sums of Money not exceeding Eighty thousand Pounds, to defray in the Year One thousand eight hundred and fifty-two—fifty-three the Charge for the Funeral of Field Marshal the Duke of Wellington.

Civil Services, *Class* 1.

There shall be issued 100,000*l.* for Contingencies;

119,320*l.* for Repair of Royal Palaces, &c.;

XIX. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One hundred thousand Pounds, to defray the Charge of Civil Contingencies, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One hundred nineteen thousand three hundred and twenty Pounds, to defray to the Thirty-first Day of March One thousand eight hundred and fifty-four the Expense of Maintenance

nance and Repairs of Royal Palaces and Public Buildings; and any Sum or Sums of Money not exceeding Sixty-two thousand seven hundred and thirty-six Pounds, to defray to the Thirty-first Day of March One thousand eight hundred and fifty-four the Expense of maintaining and keeping in repair the Royal Parks, Pleasure Grounds, &c., and other Charges relating thereto; and any Sum or Sums of Money not exceeding One hundred forty-five thousand seven hundred and seventy-four Pounds, for Works and Expenses at the New Houses of Parliament, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Ten thousand Pounds, to defray in the Year One thousand eight hundred and fifty-three the Expense of providing Accommodation for the Department of the Comptroller of the Stationery Office; and any Sum or Sums of Money not exceeding Ninety-one thousand two hundred and seventy-nine Pounds, on account of the Works at the New Packet Harbour and Harbour of Refuge at Holyhead, &c., to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Two hundred and twenty-six thousand Pounds, towards defraying the Expense of constructing certain Harbours of Refuge, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Two thousand five hundred and fifty-six Pounds, to defray the Expense of the Pay of the Establishment and the necessary Works at Port Patrick Harbour, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Forty-four thousand three hundred and sixty-four Pounds Seven Shillings, to defray the Expense of repairing and maintaining the several Public Buildings in the Department of the Commissioners of Public Works in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Eleven thousand six hundred and forty-five Pounds, to defray the Expense of Works and Repairs at Kingstown Harbour, and to provide for the Harbour Establishment, to the Thirty-first Day of March One thousand eight hundred and fifty-four.

62,736*l.* for Repair of Royal Parks, &c.;

145,774*l.* for New Houses of Parliament;

10,000*l.* for Comptroller of Stationery Office;

91,279*l.* for Holyhead Harbour;

226,000*l.* for Harbours of Refuge;

2,556*l.* for Port Patrick Harbour;

44,364*l.* 7*s.* for Public Buildings in Department of Public Works in Ireland, &c.;

11,645*l.* for Kingstown Harbour.

XX. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Ninety-one thousand one hundred Pounds, to pay the Salaries and Expenses of the Two Houses of Parliament, and Allowances to the Retired Officers of the Two Houses, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Fifty-four thousand Pounds, to pay the Salaries and Expenses of the Department of Her Majesty's Treasury, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Twenty-seven thousand one hundred Pounds, to pay the Salaries and Expenses of the Office

CIVIL SERVICES, *Class 2.*

There shall be issued 91,100*l.* for Salaries, &c. of Houses of Parliament;

54,000*l.* for the Treasury;

27,100*l.* for the Home Department;

Office of Her Majesty's Secretary of State for the Home Department, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Sixty-nine thousand four hundred Pounds, to pay the Salaries and Expenses in the Department of Her Majesty's Secretary of State for Foreign Affairs, and also of the Queen's Messengers and Extra Couriers attached to that Department, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Thirty-nine thousand one hundred and seventy-five Pounds, to pay the Salaries and Expenses in the Department of Her Majesty's Secretary of State for War and Colonies, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Seventy-one thousand five hundred Pounds, to pay the Salaries and Expenses in the Department of Her Majesty's Most Honourable Privy Council and Committee of Privy Council for Trade, including the Education, the Registrar of Merchant Seamen, Naval, and the Railway Departments, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Two thousand seven hundred Pounds, to pay the Salary of the Lord Privy Seal and the Expenses of his Establishment, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Twenty-three thousand seven hundred Pounds, to pay the Salaries and Expenses in the Department of Her Majesty's Paymaster General, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Six thousand three hundred and thirty-six Pounds, to pay the Salaries and Expenses in the Department of the Comptroller General of the Exchequer, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Seventeen thousand two hundred and eighty-two Pounds, to pay the Salaries and Expenses of the Office of Commissioners of Her Majesty's Works and Public Buildings, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Twenty-two thousand three hundred and twenty-nine Pounds, to pay the Salaries and Expenses of the Office of Her Majesty's Woods, Forests, and Land Revenues, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Two thousand seven hundred and seventy-seven Pounds, to pay the Salaries and Expenses of the State Paper Office, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Three thousand three hundred and sixty-eight Pounds, to defray a Portion of the Expenses of the Ecclesiastical Commissioners for England, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and

69,400*l.* for the Foreign Department;

39,175*l.* for the Colonial Department;

71,500*l.* for the Privy Council, Privy Council for Trade, Education Office, &c.;

2,700*l.* for Lord Privy Seal;

23,700*l.* for Office of Paymaster General;

6,336*l.* for Department of Comptroller General of Exchequer;

17,282*l.* or Office of Commissioners of Works and Public Buildings;

22,329*l.* for Office of Woods, Forests, &c.;

2,777*l.* for State Paper Office;

3,368*l.* Part Expenses of Ecclesiastical Commissioners;

and any Sum or Sums of Money not exceeding Two hundred fourteen thousand four hundred and ninety-four Pounds, to defray Expenses connected with the Administration of the Laws relating to the Poor, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Forty-nine thousand five hundred and thirty-one Pounds, to defray the Charge of the Establishment of the Mint, including Coinage, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Twelve thousand two hundred and seventy Pounds, to pay the Salaries and Expenses connected with the Department of Public Records, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Fifteen thousand and fifty Pounds, to pay the Salaries and Expenses of the Inspectors of Factories, Mines, &c., to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One thousand seven hundred Pounds, to pay the Salaries of certain Officers in Scotland and other Charges formerly paid from the Hereditary Revenue, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Six thousand four hundred and twenty-four Pounds, to defray the Charge of Salaries for the Officers and Attendants of the Household of the Lord Lieutenant of Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Seventeen thousand one hundred and thirty-four Pounds, to pay the Salaries and Expenses of the Offices of the Chief Secretary to the Lord Lieutenant of Ireland in Dublin and London, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Seven thousand four hundred and seventy-two Pounds, to defray the Charge of the Office of the Paymaster of Civil Services in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Thirty thousand one hundred and fifty-three Pounds, to pay the Salaries and Expenses of the Board of Public Works in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Thirty-two thousand Pounds, to defray the Charge of Her Majesty's Foreign and other Secret Services, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Two hundred sixteen thousand four hundred and twenty Pounds, to defray the Expense of Stationery, Printing, and Binding for the several Public Departments, including the Expense of the Stationery Office, to the Thirty-first Day of March One thousand eight hundred and fifty-four.

214,494*l.* for Administration of Poor Laws;

49,531*l.* for the Mint;

12,270*l.* for Public Records;

15,050*l.* for Salaries, &c. of Inspectors of Factories, &c.;

1,700*l.* Civil Charges, Scotland, &c.;

6,424*l.* for Officers, &c. of Lord Lieutenant of Ireland;

17,134*l.* for Salaries of Chief Secretary, &c., Ireland;

7,472*l.* for Paymaster of Civil Services, Ireland;

30,153*l.* for Board of Public Works, Ireland;

32,000*l.* for Foreign and Secret Services;

216,420*l.* for Stationery, &c. for Public Departments.

XXI. Out

CIVIL SERVICES, *Class 3.*

There shall be issued 16,000*l.* for Office of Solicitor to the Treasury, including Prosecutions relating to Coin; 17,700*l.* for Expenses of Sheriffs, Salaries of Officers of the Exchequer, &c.; 8,830*l.* for Insolvent Debtors Court; 107,405*l.* for Law Expenses, Scotland; 56,950*l.* for Criminal Prosecutions and Law Charges, Ireland; 36,000*l.* for Metropolitan Police, Dublin; 240,000*l.* for Charges formerly paid out of County Rates; 16,839*l.* for General Superintendence of Prisons, &c.; 160,465*l.* for Maintenance of Prisoners and Removal of Convicts; 69,518*l.* for Transportation of Convicts; 244,054*l.* for Convict Establishments in the Colonies.

XXI. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Sixteen thousand Pounds, to defray Law Charges, and the Salaries, Allowances, and incidental Expenses in the Office of the Solicitor for the Affairs of Her Majesty's Treasury, including Prosecutions relating to Coin, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Seventeen thousand seven hundred Pounds, to defray to the Thirty-first Day of March One thousand eight hundred and fifty-four the Expenses incurred by Sheriffs, the Deficiency in the Fees in the Office of the Queen's Remembrancer in the Exchequer, the Salaries and ancient Allowances to certain Officers in the Court of Exchequer; and any Sum or Sums of Money not exceeding Eight thousand eight hundred and thirty Pounds, to defray the Salaries and Expenses of the Commissioners of the Insolvent Debtors Court, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One hundred seven thousand four hundred and five Pounds, to defray Law Expenses in Scotland, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Fifty-six thousand nine hundred and fifty Pounds, to defray the Expense of Criminal Prosecutions and other Law Charges in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Thirty-six thousand Pounds, towards defraying the Expense of the Metropolitan Police of Dublin, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Two hundred and forty thousand Pounds, to defray to the Thirty-first Day of March One thousand eight hundred and fifty-four certain Charges formerly paid out of County Rates; and any Sum or Sums of Money not exceeding Sixteen thousand eight hundred and thirty-nine Pounds, to defray the Charge of Inspection and General Superintendence over all the Prisons in the United Kingdom, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One hundred sixty thousand four hundred and sixty-five Pounds, to defray the Expense of the Maintenance of Prisoners in County Gaols, the Philanthropic Institution, and Lunatic Asylums, and Expenses of Removal of Convicts, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Sixty-nine thousand five hundred and eighteen Pounds, to defray Expenses connected with the Transportation of Convicts, &c., to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Two hundred forty-four thousand and fifty-four Pounds, to

to defray the Expense of the Convict Establishments in the Colonies, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Four hundred and seven thousand six hundred and sixty-seven Pounds, to defray the Charge of the Government Prisons and Convict Establishments at home, to the Thirty-first Day of March One thousand eight hundred and fifty-four.

407,667*l.* for Government Prisons, and Convict Establishments at home.

CIVIL SERVICES, *Class* 4.

XXII. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Two hundred and sixty thousand Pounds, for Public Education in Great Britain, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One hundred eighty-two thousand and seventy-three Pounds, to defray the Expenses of the Commissioners of National Education in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Forty-four thousand four hundred and seventy-six Pounds, to defray the Expenses of the Departments of Science and Art, and of the Geological Survey of Great Britain and Ireland, and Museums of Geology in London and Dublin, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Six thousand three hundred and forty Pounds, to defray the Expenses of the Royal Dublin Society, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Two thousand and six Pounds, to defray the Charge of Salaries and Allowances to certain Professors in the Universities of Oxford and Cambridge, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Three thousand nine hundred and fifty-five Pounds, to defray the Expenses of the University of London, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Eight thousand and twenty-six Pounds, to pay Grants to Scottish Universities formerly defrayed from the Hereditary Revenues of the Crown, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Three hundred Pounds, towards defraying the Expense of the Royal Irish Academy, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Three hundred Pounds, towards defraying the Expense of the Royal Hibernian Academy, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Two thousand seven hundred and fifty Pounds, to pay the Salaries of the

There shall be issued 260,000*l.* for Public Education in Great Britain;

182,073*l.* for Education, Ireland;

44,476*l.* for Department of Practical Art, &c.;

6,340*l.* for Royal Dublin Society;

2,006*l.* for certain Professors at Oxford and Cambridge;

3,955*l.* for London University;

8,026*l.* for Grants to Scottish Universities;

300*l.* for Royal Irish Academy;

300*l.* for Royal Hibernian Academy;

2,750*l.* for Royal Belfast Academical Institution;

the Theological Professors at Belfast, and Retired Allowances to Professors of the Belfast Academical Institution, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One thousand six hundred and eighty-one Pounds, to defray the Expenses of the Queen's University in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Twenty-two thousand and seven hundred Pounds, to defray the Expense of new Buildings and Fittings at the British Museum, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One thousand five hundred Pounds, to enable the Trustees of the British Museum to defray Expenses incurred in procuring Antiquities for the Museum; and any Sum or Sums of Money not exceeding Four thousand two hundred and sixty-three Pounds, to defray the Expenses of the National Gallery, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Two thousand two hundred Pounds, to defray the Expense of Magnetic Observations abroad, including the Superintendent's Establishment at Woolwich, also for Observations and Services under the Direction of the Astronomer Royal, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Fifty-five thousand eight hundred and forty Pounds, to defray the Salaries and Expenses of the British Museum, to the Thirty-first Day of March One thousand eight hundred and fifty-four.

1,681*l.* for Queen's University, Ireland;

22,700*l.* for new Buildings, &c., at British Museum;

1,500*l.* for Antiquities for British Museum;

4,263*l.* for National Gallery;

2,200*l.* for Magnetic Observatories, &c.;

55,840*l.* for British Museum.

CIVIL SERVICES, *Class 5.*

There shall be issued 4,049*l* for Civil Establishment of the Bermudas;

XXIII. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Four thousand and forty-nine Pounds, towards defraying the Charge of the Civil Establishment of the Bermudas, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Seven thousand six hundred and forty-seven Pounds, to defray the Charge of the Ecclesiastical Establishment of the British North American Provinces, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Twelve thousand one hundred and fifty-one Pounds, to defray the Charge of the Indian Department in Canada, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Nineteen thousand four hundred and twenty-eight Pounds, to defray the Charge of the Salaries of the Governors, Lieutenant Governors, and others in the West India Colonies and Prince Edward's Island, to the Thirty-first Day of March One thousand eight hundred and fifty-four;

7,647*l.* for Ecclesiastical Establishment, British N. A. Provinces;

12,151*l.* for Indian Department in Canada;

19,428*l.* for Salaries of Governors, &c., of West India Colonies and Prince Edward's Island;

four; and any Sum or Sums of Money not exceeding Thirty thousand two hundred and sixty-two Pounds, to defray the Salaries, Allowances, and Contingencies of the Stipendiary Justices in the West India Colonies and the Mauritius, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Sixteen thousand eight hundred and forty-four Pounds, towards defraying the Charge of the Civil Establishments on the Western Coast of Africa, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Ten thousand nine hundred and forty-five Pounds, to defray Charges connected with the Island of Saint Helena, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Five thousand Pounds, towards defraying the Charge of Western Australia, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Five thousand and ninety Pounds, towards defraying the Charge of New Zealand, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Nine hundred and seventy-six Pounds, to defray the Charge of Heligoland, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Four thousand seven hundred and fifty Pounds, towards defraying the Charge of the Falkland Islands, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Nine thousand two hundred Pounds, towards defraying the Charge of Hong Kong, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Two thousand three hundred Pounds, towards defraying the Charge of Labuan, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Seventeen thousand three hundred and ninety-six Pounds, to defray the Charge of the Colonial Land and Emigration Board, and of the Emigration Officers at the different Ports of this Kingdom, also to defray certain Expenses in the Colonies connected with Emigration, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Twenty thousand Pounds, to defray, to the Thirty-first Day of March One thousand eight hundred and fifty-four, Expenses incurred for the Support of captured Negroes and liberated Africans, and other Charges under the Acts for the Abolition of the Slave Trade; and any Sum or Sums of Money not exceeding Eleven thousand two hundred and fifty Pounds, to pay, to the Thirty-first Day of March One thousand eight hundred and fifty-four, the Salaries and Expenses of the

30,262*l.* for Salaries, &c., of Stipendiary Justices in West India Colonies and the Mauritius;

16,844*l.* for Civil Establishments, on the Western Coast of Africa, &c.;

10,945*l.* for St. Helena;

5,000*l.* for Western Australia;

5,090*l.* for New Zealand;

976*l.* for Heligoland;

4,750*l.* for Falkland Islands;

9,200*l.* for British Settlement at Hong Kong;

2,300*l.* for Labuan.

17,396*l.* for Colonial Land and Emigration Board, &c.;

20,000*l.* for Support of captured Negroes, &c.;

11,250*l.* for Commissions for suppressing the Slave Trade;

the Mixed Commissions established under the Treaties with Foreign Powers for suppressing the Traffic in Slaves; and any Sum or Sums of Money not exceeding One hundred forty-eight thousand and thirty-three Pounds, to defray the Expense of the Consular Establishments abroad, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Eighteen thousand five hundred Pounds, for the extraordinary Disbursements of Her Majesty's Missions abroad, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Three thousand five hundred Pounds, for providing for a Portion of the Salary of the Governor of Jamaica, in the Year One thousand eight hundred and fifty-three.

148,033*l.* for the Consular Establishments abroad;

18,500*l.* for Missions abroad;

3,500*l.* for Salary of Governor of Jamaica.

CIVIL SERVICES, *Class* 6.

There shall be issued 132,980*l.* for Superannuations, &c., to Public Officers;

XXIV. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One hundred thirty-two thousand nine hundred and eighty Pounds, to defray the Charge of Superannuation Allowances and Compensations to Persons formerly employed in the Public Service, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Two thousand nine hundred and sixty-seven Pounds, to enable Her Majesty to grant Relief, to the Thirty-first Day of March One thousand eight hundred and fifty-four, to Toulonese and Corsican Emigrants, Saint Domingo Sufferers, American Loyalists, and others, who have heretofore received Allowances from Her Majesty; and any Sum or Sums of Money not exceeding Two thousand Pounds, to defray the Expense of the National Vaccine Establishment in the Year One thousand eight hundred and fifty-three; and any Sum or Sums of Money not exceeding Three hundred and twenty-five Pounds, towards the Support of "The Refuge for the Destitute" in the Year One thousand eight hundred and fifty-three; and any Sum or Sums of Money not exceeding Four thousand two hundred and eighty Pounds, for Payment of the Subsistence of the Polish Refugees and Allowances to distressed Spaniards, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Four thousand four hundred and sixty-nine Pounds, to pay, to the Thirty-first Day of March One thousand eight hundred and fifty-four, Miscellaneous Allowances formerly defrayed from the Civil List, the Hereditary Revenues, &c., and for which no permanent Provision has been made by Parliament; and any Sum or Sums of Money not exceeding One thousand four hundred and sixty Pounds, to defray the Expense of the Foundling Hospital Department of the House of Industry, Dublin, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Ten thousand two hundred and ninety Pounds,

2,967*l.* for Toulonese and Corsican Emigrants, &c.;

2,000*l.* for National Vaccine Institution;

325*l.* for Refuge for Destitute;

4,280*l.* for Polish Refugees, &c.;

4,469*l.* to pay Miscellaneous Allowances;

1,460*l.* for Foundling Hospital Department, House of Industry, Dublin;

10,290*l.* for House of Industry, Dublin;

Pounds, towards defraying the Expense of the House of Industry, Dublin, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Six hundred Pounds, towards defraying the Expense of the Female Orphan House, Dublin, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding One thousand three hundred and fifty Pounds, towards defraying the Expense of the Westmoreland Lock Hospital, Dublin, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Six hundred Pounds, towards defraying the Expense of the Lying-in-Hospital, Dublin, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Nine hundred and forty-five Pounds, towards defraying the Expense of Doctor Stevens' Hospital, Dublin, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Two thousand two hundred and eighty Pounds, towards defraying the Expense of the House of Recovery and Fever Hospital, Cork Street, Dublin, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Three hundred Pounds, towards defraying the Expense of the Hospital for Incurables, Dublin, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Thirty-eight thousand four hundred and ninety-two Pounds, to defray the Expense of Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Six thousand five hundred and thirty-seven Pounds, to pay, to the Thirty-first Day of March One thousand eight hundred and fifty-four, Charitable Allowances charged on the Concordatum Fund in Ireland, and other Allowances and Bounties formerly defrayed from Grants for the Lord Lieutenant's Household, Civil Contingencies, &c.

600*l.* for Female Orphan House, Dublin;

1,350*l.* for Westmoreland Lock Hospital, Dublin;

600*l.* for Lying-in Hospital, Dublin;

945*l.* for Dr. Stevens' Hospital, Dublin;

2,280*l.* for House of Recovery, &c., Dublin;

390*l.* for Hospital for Incurables, Dublin;

38,492*l.* for Protestant Dissenting Ministers, Ireland;

6,537*l.* for Charitable Allowances, &c., Ireland.

CIVIL SERVICES, *Class* 7.

XXV. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Eleven thousand nine hundred and ninety-six Pounds, to defray the Expense of the General Board of Health, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Fifteen thousand and eighty-seven Pounds, to defray the Charge of the Salaries and Expenses of the Incumbered Estates Commission, Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Ten thousand nine hundred and thirty Pounds, to defray in the Year One thousand eight hundred

There shall be issued 11,996*l.* for Expenses of General Board of Health;

15,087*l.* for Incumbered Estates Commission, Ireland;

10,930*l.* for Lighthouses abroad;

hundred and fifty-three the Expense of erecting and maintaining certain Lighthouses abroad, and any Sum or Sums of Money not exceeding Two thousand Pounds, to defray in the Year One thousand eight hundred and fifty-three the Expense of Works for improving the Navigation of the Menai Straits; and any Sum or Sums of Money not exceeding Two thousand five hundred and seventy-three Pounds, towards defraying the Cost of executing certain Works of Navigation in Ireland connected with Drainage, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Five thousand eight hundred and twenty Pounds, to defray the Charge of Works, Repairs, Furniture, &c. at the British Ambassador's House at Paris, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Twenty-five thousand seven hundred and fifty Pounds, to defray the Expenses of the Shipping Offices and Local Marine Boards under the Mercantile Marine Act, and the Expenses under the Steam Navigation Act, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Seventy thousand and six hundred Pounds, to defray the Charge for Pensions to Masters and Seamen of the Merchant Service, and to their Widows and Children, under the Merchant Seamen's Fund Act, and for Compensation to the late Officers of the Trustees of the Merchant Seamen's Fund, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Two thousand one hundred and seventy-five Pounds, for Payment of Rewards for certain Services in suppression of the Slave Trade on the Coast of Africa; and any Sum or Sums of Money not exceeding Nine hundred Pounds, to defray the Expense of the Commission appointed to superintend the Publication of the Ancient Laws and Institutes of Ireland, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Thirty thousand Pounds, to defray the Expenses of Commissions appointed to inquire into corrupt Practices at Elections under the Corrupt Practices at Elections Act; and any Sum or Sums of Money not exceeding Three thousand seven hundred and twenty-three Pounds, to discharge the Claim of Dr. Reid to Compensation in consequence of the Discontinuance of his Services in superintending the Ventilation, &c. of the new Houses of Parliament, including the Expenses incurred in the Settlement of the Claim by Arbitration; and any Sum or Sums of Money not exceeding Twenty-eight thousand Pounds, to defray the Fees, Salaries, and Compensations payable under the Provisions of the Patent Law Amendment Act, to the Thirty-first Day of March One thousand eight hundred and fifty-four.

2,000*l.* for Menai Straits.

2,573*l.* for Navigation Works in Ireland connected with Drainage;

5,820*l.* for British Ambassador's House at Paris;

25,750*l.* for Shipping Offices and Local Marine Boards, &c.;

70,600*l.* for Pensions to Masters and Seamen, &c., under the Merchant Seamen's Fund Act;

2,175*l.* for Services in Suppression of Slave Trade;

900*l.* for Commission for Publication of Ancient Laws of Ireland;

30,000*l.* for Commissions to inquire into corrupt Practices at Elections;

3,723*l.* for Compensation to Dr. Reid;

28,000*l.* for Compensations, &c., payable under the Patent Law Amendment Act.

XXVI. Out

Consolidated Fund (Appropriation).

XXVI. Out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Seventy thousand Pounds, to defray the Expense for Works at the new Houses of Parliament, to the Thirty-first Day of March One thousand eight hundred and fifty-four; and any Sum or Sums of Money not exceeding Four thousand Pounds, for the Extension and Completion of the Fire Mains at Windsor Castle; and any Sum or Sums of Money not exceeding Twenty thousand Pounds, towards the Completion of the South Wing of Buckingham Palace; and any Sum or Sums of Money not exceeding Thirty-two thousand six hundred and forty-one Pounds, to defray to the Thirty-first Day of March One thousand eight hundred and fifty-four the Expense of forming a Park at Battersea; and any Sum or Sums of Money not exceeding Five thousand five hundred Pounds, towards the Completion of a Bridge over the Thames at Chelsea; and any Sum or Sums of Money not exceeding Thirty-five thousand Pounds, towards defraying the Expense of constructing an Embankment and Public Roadway between Battersea and Vauxhall Bridges, and an Approach from Sloane Street to Chelsea Bridge; and any Sum or Sums of Money not exceeding Four thousand Pounds, for the Purchase of the Right of the Patentee of the Invention of a Machine for the Perforation of Postage Labels, &c.; and any Sum or Sums of Money not exceeding Five thousand Pounds, to enable Her Majesty to make Compensation to Sir William Snow Harris for his Expenditure of Time and Money in perfecting a Mode of applying Electric Conductors on board Ships; and any Sum or Sums of Money not exceeding Thirty thousand Pounds, to defray to the Thirty-first Day of March One thousand eight hundred and fifty-four the Expense of laying down an independent Line of Wires from London to the Continent, and thus to enable Her Majesty's Government to join a Convention recently concluded between France, Belgium, and Prussia for regulating the Transmission of Messages by Electric Telegraph; and any Sum or Sums of Money not exceeding Two thousand five hundred Pounds, for the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-four, in aid of the Funds of the Royal Dublin Society for the Purpose of building a Museum on the Premises of the Society in Dublin.

There shall be issued 70,000*l.* for Works at the New Houses of Parliament;

4,000*l.* for Fire Mains at Windsor Castle;

20,000*l.* for Buckingham Palace;

32,641*l.* for Battersea Park

5,500*l.* for Completion of Bridge at Chelsea;

35,000*l.* for Embankment, &c., between Vauxhall and Battersea Bridges, &c;

4,000*l.* for Patent of Machine for Postage Labels;

5,000*l.* for Compensation to Sir W. S. Harris;

30,000*l.* for Electric Telegraph Wires from London to the Continent;

2,500*l.* for building a Museum for the Royal Dublin Society

XXVII. The said Aids and Supplies provided as aforesaid shall not be issued or applied to any Use, Intent, or Purpose whatsoever, other than the Uses, Intents, and Purposes before mentioned, or for the other Payments directed to be satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this Session of Parliament.

Supplies to be applied only for the Purposes aforesaid.

XXVIII. The

Expenditure for Navy, Army, and Ordnance Services respectively to be confined to the separate Services for which granted.

XXVIII. The respective Departments charged with the detailed Application of the Sums granted by this Act for Navy, Army, and Ordnance Services shall confine the Expenditure of their respective Departments within the particular Amounts appropriated to each of the separate Services comprised in the Sum of Seven millions one hundred twenty thousand seven hundred and five Pounds for Naval Services, in the Sum of Seven millions sixty thousand eight hundred and eighty-two Pounds for Army Services, and in the Sum of Three millions fifty-three thousand five hundred and sixty-seven Pounds for Ordnance Services: Provided always, that if the Exigencies of the Public Service shall render it indispensably necessary to alter the Proportions assigned to any of the separate Services comprised in the aggregate Sum granted by this Act for Naval Services, for Army Services, or for Ordnance Services, the Department in which such Necessity shall have arisen shall represent the Circumstances which may have led to it in Writing to the Commissioners of Her Majesty's Treasury; and it shall be lawful for such Department, on Her Majesty's Pleasure to that Effect being signified by the Commissioners of Her Majesty's Treasury, to apply in aid of the deficient Grant a further limited Sum out of any Surplus or Surpluses under other Heads of Service in the same Department: Provided always, that the aggregate Sum of Seven millions one hundred twenty thousand seven hundred and five Pounds granted by this Act for Naval Services, of Seven millions sixty thousand eight hundred and eighty-two Pounds for Army Services, or of Three millions fifty-three thousand five hundred and sixty-seven Pounds for Ordnance Services, shall not be exceeded.

Treasury may, on Application, alter the proportionate Amounts for such separate Services, provided the total Grant to each Department be not exceeded.

Rules to be observed in the Application of the Sum appropriated to Half Pay.

XXIX. And as to the Sum of Three hundred and fifty-eight thousand Pounds by this Act appropriated on account of Half Pay as aforesaid, it is hereby enacted and declared, that the Rules hereafter prescribed shall be duly observed in the Application of the said Half Pay; (that is to say,) that no Person shall have or receive any Part of the same without making and subscribing a Declaration to such Purport and Effect as shall be required in that Behalf by Her Majesty's Warrants directing the Issue of the Half Pay to be received; that no Person shall have or receive any Part of the same who was under the Age of Sixteen Years at the Time when the Regiment, Troop, or Company in which he served was reduced; that no Person shall have or receive any Part of the same who did not do actual Service in some Regiment, Battalion, Troop, or Company in Her Majesty's Service, except in Cases in which the Commission was received under Circumstances which did not, according to the Regulations of the Army, require the Officer to serve; that no Person shall have or receive any Part of the same who has resigned his Commission,

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sion, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Person as would have been otherwise entitled thereto as a reduced Officer; that no Person shall have or receive any Part of the same for any Time during which he shall hold any other Military Place or Employment of Profit under Her Majesty, or in Her Majesty's Colonies or Possessions beyond the Seas, except on the Staff or in Garrison, and that in such excepted Cases, or in Cases of his holding any Military Place or Employment of Profit under another Government, no Officer shall receive any Part of his Half Pay unless with Her Majesty's Approbation, to be signified by the Secretary-at-War to the Paymaster General, and the Officer claiming the Half Pay in pursuance of such Approbation shall specify in his Declaration the other Military Place or Employment of Profit on the Staff or in Garrison which he may hold or have held under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government; that no Person who shall, on or before the Twenty-eighth Day of July One thousand eight hundred and twenty-eight, have held any Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall have or receive any Part of the same for any Time during which he shall hold any such Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, except in Cases in which the same shall not exceed Three Times the Amount of the highest Rate of Half Pay attached to the Rank in virtue of which he claims to receive Half Pay, or as herein-after mentioned, nor in any such excepted Cases, unless Her Majesty's special Approbation be signified as aforesaid, and the Officer claiming the Half Pay in pursuance of such Approbation shall signify in his Declaration the Civil Place or Employment of Profit which he may hold or have held as aforesaid; but if the net annual Emoluments of such Civil Place or Employment shall exceed Three Times the Amount of Half Pay as aforesaid, and shall fall short of Four Times that Amount, then it shall be lawful for the Paymaster General, with Her Majesty's Approbation, signified by the Secretary-at-War as aforesaid, to issue, on or before the Twenty-fourth Day of December One thousand eight hundred and fifty-three, so much of the Half Pay claimed by any such Officer, as shall, together with the net annual Emoluments of the Civil Place or Employment, be equal to Four Times the Amount of such Half Pay, and the Officer claiming the Half Pay in pursuance of such Approbation shall specify in his Declaration the Civil Place or Employment of Profit which he may have held as aforesaid, and the actual Amount of the Emoluments thereof, in such Manner and Form, and calculated up to such Period or Periods, as

shall be required by the Secretary-at-War; but no Person who, after the Twenty-eighth Day of June One thousand eight hundred and twenty-eight, has been appointed to any Civil Place or Employment of Profit (except in Her Majesty's Household) under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall have or receive any Part of the same for any Time during which he shall hold any such Civil Place or Employment of Profit (except as aforesaid) under Her Majesty beyond the Seas, or under any other Government other than that of a Barrack Master under the Master General and the Board of Ordnance, who shall, under the Restrictions before mentioned, be entitled to receive his Half Pay: Provided always, that nothing in this Act contained shall prevent any Person from receiving his Half Pay who shall be entitled to the same under any Act or Acts relating to the General or Local Militia, or to the Yeomanry or Volunteers, but that every such Person shall receive the same according to the Provisions of any such Act or Acts; and also every Surgeon, Serjeant Major, Serjeant, Corporal, and Private serving in the General or Local Militia, or in any Corps of Yeomanry or Volunteers, in Great Britain or Ireland, may and shall receive any Half Pay, together with any Pay in the General or Local Militia or Yeomanry or Volunteers, upon making and subscribing a Declaration in any Case in which an Oath or Declaration shall be required in and by any Act or Acts, or specified in any Warrant of Her Majesty, as the Case may be, and stating in such Declaration the Commission or Employment which he held in the General or Local Militia, the Yeomanry or Volunteers: Provided always, that from and after the First Day of January One thousand eight hundred and fifty-four it shall be lawful for the Paymaster General to issue the Half Pay or any Portion thereof to any Officer appointed to Civil Place or Employment of Profit under Her Majesty or under any other Government, since the Twenty-eighth Day of July One thousand eight hundred and twenty-eight, if Her Majesty's Pleasure to that Effect be signified by the Commissioners of Her Majesty's Treasury, through the Secretary-at-War, but such Permission to be granted under the Restrictions before mentioned: Provided always, that an Account shall be laid before Parliament in every Year on or before the First Day of April, if Parliament shall be then sitting, or, if Parliament shall not then be sitting, on the First Day of the sitting of Parliament after the First Day of April, of the Number of Officers who are allowed to receive their Half Pay with Civil Employments, specifying the Names of such Officers, with the respective Amounts of their Half Pay, and the Emoluments of their respective Civil Employments, and distinguishing in every such Account the Officers to whom such Half Pay shall have been allowed subsequent to preceding Accounts.

Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c.

Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since July 1828.

An Account of the Number of Officers so receiving Half Pay to be laid before Parliament annually.

XXX. It

XXX. It shall be lawful for the Commissioners of Her Majesty's Treasury to authorize the receiving Half Pay by Military Officers with Civil Employments in any Cases in which the said Commissioners shall be of opinion that the Employment of such Military Officers in the Colonies or elsewhere in Civil Situations of Responsibility with small Emoluments will be conducive to Economy, and thereby beneficial to the Public Service, and in every such Case the Officer authorized to receive Half Pay with the Salary or Emolument of any Civil Employment shall signify the same in his Declaration, specifying the Office and the Authority under which he is so allowed to receive his Half Pay.

Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXXI. And whereas a considerable Part of the Money appropriated on account of Half Pay by an Act passed in the Fifteenth and Sixteenth Years of Her present Majesty, intituled "An Act to apply "a Sum out of the Consolidated Fund and certain other Monies to "the Service of the Year One thousand eight hundred and fifty-two, "and to appropriate the Supplies granted in this Session of Parlia-"ment," has been issued without requiring by Persons issuing or paying, and without the taking by the Persons receiving, Half Pay, the Oaths or Declarations prescribed to be taken by Officers claiming Half Pay, and Part of the said Monies has been paid to Officers claiming or entitled to Half Pay who at the same Time held and may still hold the Situations of and serve respectively as Surgeons, Sergeant Majors, Sergeants, Corporals, or Privates in the General or Local Militia, or Yeomanry or Volunteer Corps, in Great Britain or Ireland, and it is expedient that all such Persons should be indemnified: Be it therefore enacted, That all Persons concerned in the advising, authorizing, or directing the issuing or in the issuing of any Half Pay, or any Monies for Half Pay, or in the Application of any Money appropriated by the said Act for that Purpose, or in receiving or being concerned in receiving any Portion of the Money so appropriated for such Half Pay, without requiring or taking the said Oaths or Declarations, or to or on account of any such Officers or Persons as aforesaid, shall be and are hereby fully exonerated and discharged from all Penalties, Forfeitures, Prosecutions, or Proceedings in respect of anything done in relation thereto, in all Cases in which such Half Pay, or Payment for or in respect of such Half Pay, shall have been or may hereafter be issued or received in conformity with the Provisions of the said recited Act or this Act, and the Uses heretofore established or observed in relation to the issuing, paying, and receiving of Half Pay in all other respects, except so far as relates to the demanding, requiring, or taking the said Oaths or Declarations, and all such Payments and Issues of Half Pay which shall have been or may be issued to any such Person as aforesaid shall

Persons concerned in issuing, paying, and receiving Money for Payment of Half Pay, without the requisite Oaths, indemnified.

15 & 16 Vict. c. 82.

shall be deemed valid and effectual Payments, and the Paymaster General, and all other Persons concerned in the issuing and paying the same, shall be and are hereby fully indemnified, and shall be and are hereby fully discharged and exonerated, in respect thereof in all Accounts relating to such Issues and Payments, anything in any Act or Acts, or any Laws, Rules, or Regulations, to the contrary notwithstanding.

Half Pay allowed to Officers of the Manx Fencibles.

XXXII. And whereas the Royal Regiment of Manx Fencibles engaged to serve in the said Corps upon a Stipulation contained in the Letter of Service under which they were raised that they should be allowed to receive any Half Pay to which they might be entitled, notwithstanding their holding Subaltern Commissions in the said Corps, but no Provision has been made by Parliament for Payment of such Half Pay, and it is therefore expedient that Provision should be now made for the Arrears of Half Pay to such Officers as aforesaid: Be it therefore enacted, That Officers who were entitled to Half Pay, and who accepted or held Subaltern Commissions in the Royal Regiment of Manx Fencibles, shall, notwithstanding their having held the Full Pay of such Commissions, be entitled to receive the Arrears of such Half Pay for any Year or Time in which they shall not have been allowed to receive the same, upon making and subscribing a Declaration before any Person hereby authorized to administer a Declaration to Persons for the Purpose of receiving Half Pay, that they had not in any Year or Time for which such Arrear is claimed any Office or Employment of Profit, Civil or Military, under Her Majesty, besides their Allowance of Half Pay, save and except their Pay as such Subaltern Officers of the Royal Regiment of Manx Fencibles, and the making and subscribing the said Declaration shall, without making and subscribing any other Declaration, be sufficient to entitle such Officer to receive his Half Pay.

Half Pay Allowances to Chaplains of Regiments not holding Ecclesiastical Benefices derived from the Crown.

XXXIII. And whereas Chaplains of Regiments who have been placed upon Half Pay have not been allowed to receive such Half Pay in some Years in consequence of being in possession at the Time of certain Ecclesiastical Benefices or Preferments, though the same were not in the Patronage of the Crown: And whereas it has been judged fair and reasonable that they should be allowed to receive such Half Pay, though in possession of Ecclesiastical Preferment, provided the same was private Patronage, and not derived from the Crown, and that they should be entitled to receive the Arrears of Half Pay for such former Years as aforesaid: Be it therefore enacted, That all Chaplains who, after having been placed upon Half Pay, shall have been refused or been unable to receive such Half Pay in any Year in consequence of holding any Ecclesiastical Benefice not derived from

or

or in the Gift of the Crown, shall be entitled to receive the Arrears of such Half Pay for such Year, upon making and subscribing a Declaration before the proper Officer for administering Declarations to Persons for entitling them to receive Half Pay that they held no Ecclesiastical Benefice or Preferment in any Year derived from the Crown, nor any Place or Employment of Profit under Her Majesty, and the making and subscribing the said Declaration shall, without making and subscribing any other Declaration, be sufficient to entitle such Chaplain to receive his Half Pay.

Surplus of Sum by 15 & 16 Vict. c. 82. appropriated to Half Pay Officers to be disposed of as Her Majesty shall direct.

XXXIV. And whereas by the said recited Act passed in the Fifteenth and Sixteenth Years of Her present Majesty the several Supplies which had been granted to Her Majesty as therein mentioned were appropriated to the several Uses and Purposes therein expressed, amongst which any Sum or Sums of Money, not exceeding Three hundred and sixty-five thousand Pounds in the whole, was appropriated to be paid on account of Half Pay for the Year One thousand eight hundred and fifty-two, subject nevertheless to such Rules to be observed in the Application of the said Half Pay as in and by the aforesaid Act were prescribed in that Behalf: Now it is hereby provided, enacted, and declared, That so much of the Sum of Three hundred and sixty-five thousand Pounds as is or shall be more than sufficient to satisfy the said reduced Officers according to the Rules to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed or have lost their Limbs in the late War, or such others as by reason of their long Service or otherwise Her Majesty shall judge to be proper Objects of Charity, or to the Widows or Children of such Officers, according to such Warrant or Warrants under Her Majesty's Royal Sign Manual as shall be signed in that Behalf, anything in this Act or the said Act to the contrary notwithstanding.

Widows, &c., claiming Pensions to make required Declaration.

XXXV. And as to the Sum of One hundred and seventeen thousand six hundred and thirty-seven Pounds by this Act appropriated for defraying the Charge of Pensions to be paid to the Widows of Officers of Her Majesty's Land Forces as aforesaid, and as to the Sum of Seventy-nine thousand five hundred Pounds by this Act appropriated for defraying the Charge of Allowances on the Compassionate List, of Allowances as of Her Majesty's Royal Bounty, and of Pensions to Officers for Wounds as aforesaid, it is hereby enacted and declared, That no Widow of an Officer of the Land Forces, and no Person claiming an Allowance on the Compassionate List, or of Allowances as of Her Majesty's Royal Bounty, shall have or receive any Part of the same without making and subscribing a Declaration to such Purport and Effect as shall be required in that Behalf by Her Majesty's

jesty's Warrant directing the Issue of such Pensions and Allowances so to be received.

Declarations to be made as specified in 5 & 6 W. 4. c. 62.

XXXVI. Any such Declaration shall and may be made and subscribed before any One or more of Her Majesty's Justices of the Peace, Notary Public, or other Officer now by Law authorized to administer or receive such Declaration, or before any of the Persons appointed to examine Vouchers in the Office of the Paymaster General, in the Manner, and under the Pains, Penalties, and Forfeitures, specified in an Act passed in the Fifth and Sixth Years of His late Majesty for the Abolition of unnecessary Oaths.

LONDON:
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Printers to the Queen's most Excellent Majesty. 1853.

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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3 & 4 W. 4. c. 95. jesty, intituled "An Act to appoint additional Commissioners for "executing the Acts for granting an Aid by a Land Tax, and for "continuing the Duties on Personal Estates, Offices, and Pensions:" And whereas another Act was passed in the Sixth and Seventh Years of the Reign of His late Majesty, intituled "An Act to appoint addi-"tional Commissioners for executing the Acts for granting an Aid "by a Land Tax, and for continuing the Duties on Personal Estates, "Offices, and Pensions:" And whereas another Act was passed in the First and Second Years of the Reign of Her present Majesty, intituled "An Act to appoint additional Commissioners for executing "the Acts granting a Land Tax, and Duties on Personal Estates, "Offices, and Pensions:" And whereas another Act was passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled "An Act to appoint additional Commissioners for executing "the Acts for granting a Land Tax and other Rates and Taxes:" And whereas another Act was passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty, intituled "An Act "to appoint additional Commissioners for executing the Acts "for granting a Land Tax and other Rates and Taxes:" And whereas it is expedient to appoint additional Persons to put in execution the several Acts for granting an Aid to Her Majesty by a Land Tax in Great Britain, and several other Acts for continuing or granting to Her Majesty Rates and Taxes: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

6 & 7 W. 4. c. 80.

1 & 2 Vict. c. 57.

7 & 8 Vict. c. 79.

11 & 12 Vict. c. 62.

Appointment of additional Commissioners.

I. That the several and respective Persons herein-after named shall and may and are hereby empowered and authorized (being duly qualified) to put in execution the said Acts, and all the Clauses, Powers, Matters, and Things whatsoever therein contained, as Commissioners in and for the several and respective Counties, Shires, Stewartries, and Places of Great Britain herein-after severally and respectively mentioned and expressed, as fully and effectually as if they had been named with the other Commissioners in the said recited Act passed in the Seventh and Eighth Years of the Reign of His Majesty King George the Fourth; (that is to say,)

For the Rest of the County of Bedford.

Charles Lindsel *Biggleswade*, Samuel Whitbread *junior*, *Cardington*, *M.P.*, *the Reverend* Henry Addington *Langford*, Frederick Hogge *junior*, *Biggleswade*.

For the Rest of the County of Berks.

The Reverend Robert Millman, *Vicar of* Lamborne, *the Reverend* Leveson Cyril Randolph, *Vicar of* East Garston, *the Reverend* Thomas

Land Tax Commissioners Names.

Thomas Townsend Churton, *Rector of* West Shefford, *the Reverend* Stephen Brown, *Rector of* East Shefford, *the Reverend* Edward Hussey *East Hendred, the Reverend* William John Butler *Wantage*, John Brooks *Wantage*, John Burton *Brightwaltham*, Francis Ferdinando Bullock *East Challow*, George Stone *Fawley*, *Reverend* John Tucker *West Hendred.*

For the Borough of Chipping Wycombe.

John Turner, George Lloyd Parker, Alfred Lane, Joseph Hunt, Thomas Wheeler, William Rose, Thomas Treacher, Herbert Simmons, George Willis, *Doctor* Holt *M.D.*, Joseph James Pontyfix.

For the County of Buckingham.

James Grace *Wardrobes*, *Princes Risborough*, Captain William Henry Smyth *R.N.*, *Stone*, Thomas Dell *Aylesbury*, *the Reverend* Charles Lowndes *Hartwell Rectory*, Henry Bode *Westlington House*, *Dinton*, Henry Hayward *Aylesbury*.

For the Isle of Ely.

John Brown, *Coldham Hall*, *Elm*, Charles Bouchier *junior*, *Wisbech St. Peter*, Michael Cole *Wisbech St. Peter*, George Duppa Collins *Wisbech St. Peter*, George Dawbarn *Wisbech St. Peter*, Richard Dawbarn *Wisbech St. Peter*, William Dawbarn *Wisbech St. Peter*, John Dearlove *Leverington*, Henry Hampden English *Wisbech St. Peter*, James Edward Fraser *Wisbech St. Peter*, Simon Goodman *Thorney*, Francis Jackson *Wisbech St. Peter*, Thomas Johnson *Parsondrove*, Thomas Johnson *Whittlesea*, John Little *Whittlesea*, Samuel Marriott *Thorney*, Robert Mein *Thorney*, William Moor *Elm*, Alexander Peckover *Wisbech St. Peter*, Edward Philips *Wisbech St. Peter*, John Rogby *Wisbech St. Peter*, Francis Nicholas Taylor *Leverington*, John Taylor *Wisbech St. Peter*, late of *St. Edmunds*, Harley Matthew Usill *Wisbech St. Peter*, John Waddelow *Whittlesea*, Robert West *Newton*, Robert Wherry *Wisbech St. Peter*, Hugh Wood *Upwell.*

For the Rest of the County of Cambridge.

William Stevens *Old Market*, *Wisbech St. Peter's*, Thomas Banyard *Horningsea*, Charles Balls *Cambridge*, Robert Emson *Cambridge*, Richard Headley *Stapleford*, Peter Grain *Great Shelford*, Robert Wale *Little Shelford.*

For the County of Chester.

Edward Gibson *Endon House*, *Bollington*, John Wood Hazlehurst *Harebarrow*, *Alderley*, Thomas Allen *Upton*, *Macclesfield*, Francis Martin *Worleston Grange*, John Armstrong *Audlem*, William George Rose *Hough*, *Reverend* John Oldershaw *Stoke*, William Mansfield Brady *M.D.* Nantwich, John Salmon Bayky *Willaston*, Edward Hall Martin

Land Tax Commissioners Names.

Martin *Henhull Cottage*, Luke Thomas Crossley *Hankelow Hall*, John Bennett *Willaston Hall*, Samuel Crosse Starkey *Wrenbury Hall*, John Bellyse *Audlem*, Domville Halstead Cudworth Poole *Marbury Hall*, William Roylance Court *Haslington*, Joseph Woolf *Haslington Hall*, Thomas King Nixson *Nantwich*, John Sutton Nixson *Nantwich*, John Barker *Nantwich*, Richard Barker *Nantwich*, Philip Barker *Nantwich*, James Franklin Bayley *Nantwich*, William Hall *Nantwich*.

For the County of Cornwall.

The Reverend Charles Leigh Pemberton *Calstock*, John Salubury Trelawny *Calstock*, William Hicks Horndon Messenger *Callington*, *The Reverend* John James Wilkinson *Lanteglos*, *Camelford*, Richard Kittow *Tredawl House*, *Altarnun*, Roger Kingdon Braddon *Treglith*, *Treneglos*, *The Reverend* Thomas Amory *St. Teath*, Roger Bate *Lanteglos*, *Camelford*, John Martyn *Helland St. Teath*, Charles Matthew Edward Collins *Clerk* Trewardale, Nicholas Thomas Every *Clerk*, *Vicar* St. Kew, Richard Byrn Kinsman *Clerk*, *Vicar* Tintagel, George Martin *Clerk* D.D., *Vicar* St. Breward, Nevell Norway *Trebyan*, William Sargent *Bodmin*, Edward Shuttleworth *Clerk*, *Vicar* Egloshayle, William Hart Smith *Clerk*, *Vicar* St. Minver, John James Wilkinson *Rector* Lanteglos and Advent, Wightwick Roberts *Trethil*, *Sheviock*, *Reverend* James C Crowley *Clerk* St. John's, John Rogers *Shillingham*, *St. Stephen's*, Richard Byron Kinsman *Clerk* Tintagell, William Sloggatt Rosevere *Forrabury*, Claudius Crigan Hawker *Boscastle*.

For the County of Cumberland.

The Reverend William Graham *Arthuret*, John Teather *Alstonby*, Robert Little *Longtown*, Matthew Brown *Crofthead*, John Lee *Westhill*, George Thomas Allan *Headsnook*, William Farrer *Stanwix*, John Dodgson Carr *Stanwix*, *The Reverend* John Lowthian *Brampton*, *The Reverend* Thomas Charles Vaughan *Castlecarrock*, *The Reverend* John Watson *Cumrew*, George Elliot *Edenbank*.

For the County of Derby.

Thomas Barnes *Chapel-en-le-Frith*, Samuel Needham Rushup *Chapel-en-le-Frith*, John Bennett Stoddart *Chapel-en-le-Frith*, Anthony Bellat Jackson *Combs*, *Chapel-en-le-Frith*, Davenport Goodman *Eccles*, *Chapel-en-le-Frith*, Humphrey Smithers *Buxton*, Thomas Carstairs *Buxton*, Robert Howe Ashton *Castleton*, Joseph Hall *Castleton*, *Reverend* John Champion *M.A.*, *Rector of* Taxal, Cheshire, John William Boothman *Whaley*, *Cheshire*, Alfred Arkwright *Gate House*, *Wirksworth*, James Charles Arkwright *Rock House*, *Cromford*, Frederick Holland *Captain R.N.* Ashbourn Hall; Buckston, *the Reverend* German, *Sutton;* Buckston, German Rowland, *Sutton;* Bradshaw, Francis, *junior*, Barton Hall; Bradshaw, *Reverend* Henry Holden.

Land Tax Commissioners Names.

Holden, *Barton Hall;* Cavendish, *Honorable and Reverend* Thomas, *Doveridge;* Darwin, Reginald, *Breadsall;* Holden, Robert, *Spondon;* Vernon, *the Honorable* Augustus Henry, *Sudbury Hall;* Vaughton, *Reverend* Roger, *Yeildersley;* Wilmot, Robert, *Chaddesden Hall;* Wilmot, Henry, *Chaddesden Hall;* Wright, Francis, *Osmaston Manor;* Abney, Edward Henry, *Derby*, Clerk; Carr, Walter, *Duffield;* Corden, John, *Derby;* Cox, Thomas, *Littleover;* Crompton, John, *Chesterfield and Derby*, Banker; Crompton, George, *Chesterfield and Derby*, Banker; Evans, Walter, *Darley, Derby*, Banker; Evans, John, *Darley, Derby*, Banker; Evans, Henry, *Darley, Derby;* Foley, Edward Walwyn, *Derby, Clerk;* Fox, Douglas, *Derby;* Fox, Samuel Morley, *Clerk;* Frear, Benjamin, *Derby;* Heygate, James, *Derby*, M.D.; Holbrook, Charles, *Alvaston;* Hope, William, *Derby, Clerk;* Latham, John, *Little Eaton, Clerk;* Lewis, Josiah, *Osmaston;* Mozley, Henry, *Derby;* Mundy, Francis Noel, *Markeaton;* Newdigate, William, *West Hallam, Clerk;* Radford, Samuel Richardson, *Alvaston;* Whiston, William, *Derby;* Godfrey Heathcote *Chesterfield*, John Walker, John Drabble, Joseph Shipton, John Halliwell, William Claughton, *all of* Chesterfield, William Barnes *Broomside, Durham*, Edmund Barnes *Ashgate House, Brampton*, Alfred Barnes *the same*, Joseph Bennett *Spinner Bottom*, Joseph Bennett *High Lee*, Levi Hall *Ollersett*, James Ingham *Whitle*, Jonathan Jowett *Lower Hall*, Thomas Marriott *Shude Hill*, John Marriott *Bridge End*, John Moult *Miller Hall*, Samuel Needham *Rushop*, William Platt *Hadfield*, Edward Potter *Dinting Vale, Reverend* George Henry Spurrier *Edale*, Richard Bridgman Barrow *Sydnope Hall.*

For the City and County of the City of Exeter.

The Mayor, Recorder, Justices of the Peace, Aldermen, and Town Councillors for the Time being; the Dean and Canons of the Cathedral Church of Saint Peter *in* Exeter *for the Time being;* Christopher Arden, Ralph Barnes, Christopher Churchill Bartholomew, *Clerk*, James Wentworth Buller, Charles Bowring, John Blackall *M. D.*, Samuel Barnes, John Bingham, William Barnes, Samuel Segar Bastard, William Richard Bishop, William Buckingham, Samuel Budd, Joseph Corfe *Clerk*, Robert Shibling Cornish, Richard Crudge Campion, Philip Carlyon *Clerk*, John Cockram, Augustus Drake *M. D.*, Philip Chilwell Dela Garde, Samuel Davies, Thomas Edward Drake, John Edye, Frederick Franklin, George Ferris, John Lincoln Galton *Clerk*, Richard Sommers Gard, Edward Charles Harrington *Clerk*, James Ham, Henry Lake Hirtzel, Frederick Dashwood Lake Hirtzel, John Hayward, Henry Wilcocks Hooper, John Haddy James, Mark Kennaway, George Granville Kekewich, Charles Henry Kingdon, Arthur Kempe, William Kingdon, John Milford, Paul Measor, William Miles, Joseph Mountford, William Nation, John Evomy Norman, Kellow John Pye, George Pye, Thomas Snow, Thomas

Smith, Ralph Sanders, Edward Andrew Sanders, Joseph Sheppard, Robert Taylor, James Carral Wilcocks, Richard Worthy, Samuel Warren *Clerk*, Charles Knighton Webb, Frederick Hobson Warren.

For the County of Devon.

Chichester, Robert Henry, *Clerk*, Chittlehampton; Gould, George James, *Clerk*, George Nympton; John Durant Baker *Clerk* Bishops Tawton, Samuel Buckland *Clerk* Great Torrington, James Copner *Clerk* Ilfracombe, John Mill Chanter *Ilfracombe*, William Anthony Deane *Frithelstock*, John Pomroy Gilbert *Barnstaple*, William Walter Gurney *Clerk* Roborough, John Henry Hutton *Clerk*, *D.D.*, Stoke Rivers, William Charles Hill *Clerk* Fremington, Dashwood Lang *Clerk* Westleigh, William Loveband *Clerk* Landkey, Arthur Forbes Lloyd *Clerk* Instow, Murray Mathews *Pilton*, Matthew Mundy *Clerk* Linton, Edward Mock *Braunton*, Humphry Senhouse Pinder *Clerk* Bratton, Humphry William Toms *Clerk* Combmartin, John Colwill Roe *Woolhanger*, Thomas Tordiffe *Ilfracombe*, Zachary Clutterbuck Bayly, *Lieutenant Colonel* Buckland, John Edmund Glynn *Bideford*, John Pyke *Captain R.N.*, *Bideford*, Francis Wolferstean Thomas *Clerk* Parkham, Adderley Wren *Bradworthy*, Arundel Calmady Hotchkys *Bradworthy*, William Allin *Sutcombe*, *Reverend* Edward Rundall *Saint Giles-in-the-Heath*, George John Bloamfield *Clerk* Bow, Robert Hole *Clerk* North Tawton, Pitman Jones *Heavitree*, James Lyon Greaves *Heavitree*, Arthur Campion *Abbotts Hill*, James Whitehead *Brockhill*, George Harris *Rooklands*, *Torquay*, Thomas Potts *Darson*, *Torquay*, John Jackson Goodridge *Paington*, Thomas Daniel Belfield *junior* Blagdon, Northmore Pearce Lawrence *Ipplepen*, *Reverend* Frederick Sandys Wall *Bradby*, *Reverend* Christopher Wolston *Torneuton House*, Robert J J Carey *Tor Abbey*, James Yelverton *Ottery St. Mary*, William Taylor Thomas *Ottery St. Mary*, John Salter *Ottery St. Mary*, Charles Coft *Ottery St. Mary*, Richard James Mansergh St. George *Tormoham*, John Creed *Abbotts* , Charles Brooking *Brixham*, Henry Chilcot *Brixham*, John Friend Pering Phillips *Totness*, Wrey, John, *Clerk;* Taylor, Fitz William John, *Clerk;* Braine, Charles, *Abbotsley;* Brown, Henry Langford, *junior;* Whiteway, John Hayman, *Fishwick;* Coward, Isaac Toogood; Gould, John Nutcombe, *Clerk;* Lethbridge, John; Francis, William; Bartlett, Ilsham; *Reverend* William Gill, Venn Lamerton *Clerk*, Harold Wrayford Cornish Gill *Bickham*, Reginald Butler Edgecombe Gill *Bickham*, John Giddy Michell *Tavistock*, William Honey *Tavistock*, John Martin *Tavistock*, Thomas Morris *Tavistock*, William Pryce Mitchell *Tavistock*, William Bunney Cudlipp *Tavistock*, William Henry Chichester *Grenofen*, Edward Baring Gould *Lew House*, *Reverend* Richard Sleeman *Whitchurch*, James Henry Deacon Howell *Whitchurch*, Henry Blagrove *Lifton Park*,

Land Tax Commissioners Names.

Park, Reverend Douglas Macdonald *West Alvington, Reverend* Thomas Bury Wells *East Portlemouth, Reverend* Thomas Twysden *Charleton,* Samuel Cornish *Sherford,* William Head, John Rolle Prideaux, William Messiter Michell, William Henry Baptist Proby, *Reverend* Robert William James, *Reverend* Henry Peter Daniells, John Latoysonere *Scarborough,* James Marwood Elton, Henry Elton, *Reverend* Richard Browne Matthews, *Reverend* Henry John Tooze, Samuel Devenish, *Reverend* Sydenham Henry Peppin, John Robinson Rogers, James Strachan Lang, Richard Ord.

For the County of Dorset.

John Pike Stephens *Bridport,* Joachim Gilbert *Beaminster,* Charles Forward *Bettiscombe* Clerk, Francis Dolman *Loders* Clerk, Thomas North *Loders,* Thomas Boys Ferrics *Corscombe* Clerk, Thomas Sanctuary *Poorstock* Clerk, Thomas Bond, John Brown, Henry Pickard Cambridge, Owen Luttrell Mansel *Clerk* Sheffield Serrell, Montague Williams *Wolland, Reverend* Henry Dairs *Ibberton, Colonel* Fendall *Child Okeford, Colonel* Charles St. Lo Mallett *Little Fontmell, Child Okeford, Reverend* Edward Arthur Dayman *Shillingstone, Reverend* Henry Trail Simpson *Marnhull, Sir* Edward Baker Baker *Baronet, Rawstone House, Reverend* Robert Ibbetson Bassett Henshaw *Lydlinch, Reverend* Joseph Hunt *Fifehead Magdalen,* William Read Bell *Gillingham,* William Naish Allford *Sherborne,* Benjamin Chandler *the younger* Sherborne, William Ffooks *Sherborne, Reverend* Ralph Lyon *D.D. Bishops Caundle, Reverend* Richard Messiter *Caundle Marsh,* Lewis George Saint Lo *Caundle Marsh,* William Webb Penny *Sherborne.*

For the County of Durham.

Robert Burrell *Durham,* George Townshend Fox *Clerk* Durham, Edmund Hector Hopper *Clerk* Durham, Robert Gamwell Hubback *Durham* Richard Headlam Keenlyside *M.D.,* Robert Thompson, George Hutchinson Swain, Thomas Mills, Joshua Byers, Richard Jackson, Joseph Dodds, William Benington, *all of* Stockton; Stephen Robinson, C. E. George Green *M.D.,* George Moor, *all of* Hartlepool; John George Edwards *Dial House,* William Surtees Raine *Snow Hall,* Edward Waldy *Barmpton,* William Waldy *Barmpton,* the *Reverend* William Atkinson *Gatehead Fell,* Richard Cail *Musgrave House,* Edmond Crawshay *Bensham,* Joseph Cowen *Playdon Burn,* the *Reverend* John Davies *D.D.* Bensham, Richard Carnaby Forster *White House,* Joseph Abbot Hymers *Ryton,* Richard Wellington Hodgson *Shipcote,* John Hine Hunt *Birtley,* Joseph Laycock *Lintz Hall,* Robert Sterling Newall *Fern Dean,* Hugh Lee Pattinson *Scots House,* Joseph Robson *Backfield House,* John Sowerby *Shipcote,* James Smith *Gateshead Low Fell,* William Wailes *Saltwell.*

For

Land Tax Commissioners Names.

For the West Riding of the County of York.

Bentley Shaw *Woodfield House, Lockwood,* Joseph Wrigley *Netherton,* William Green Armytage *Lockwood,* John Armytage *Yew Green, Lockwood,* John Woodhead Crosland *Crosland Moor,* Richard Armytage *Huddersfield,* Thomas Varley *Edgerton, Huddersfield,* Benjamin North Rockley Batty *the younger* Almondbury, Thomas Haigh *Colne Bridge, Huddersfield,* William Brook *Healey House,* Charles John Brook *Healey House,* John Dowse *Marsden,* George Jessop *Honley,* Joseph Beaumont *Mold Green, Huddersfield,* Joseph Beaumont *the younger* Huddersfield, Edward Armitage *Birkby Lodge, Huddersfield,* Uriah Tinker *Meltham,* Joshua Eastwood *Meltham,* Thomas Brooke *the younger* Honley, John Brooke *Thornton Lodge, Lockwood,* William Willans *Huddersfield,* John Haigh *the younger* Lascelles Hall, Charles Brook *Meltham Mills,* Francis Shaw Buckley *Upper Mill, Saddleworth,* David Hyde Buckley *Carr Hill, Saddleworth,* John Barker, Lionel John Brook, William Claugh, George Fox, George Green, Bernard Hartley, Roger Hurst, William Jefferson, David Longstaff, William Maxon, Richard Maxon, Robert Axley, James Robson, James Robson *the younger,* Thomas Routledge, Thomas Sayle, Thomas Jackson Wainwright, Joseph Walker, Wiliam Wood, William Wood *Monk Hill, Reverend* R. E. Batty *Axworth, Reverend* J. W. Newman *Badsworth, Reverend* F. Maynard *Bramwith,* George Anne *Burghwallis, Reverend* George Wyatt *Burghwallis, the Rector of* Campsall, Benjamin Jowitt *Carlton,* Colonel Charles Wood *Carlton, Reverend* George Pease *Darrington,* William Shaw *Darrington,* John Carter *Knottingley, Reverend* George Allott *South Kirkby,* Joseph Ward *South Kirkby,* James Hindle *Sutton and Askern,* John Fox Oxley *Sutton and Askern,* James Robson *Tanshelf,* James Robson *junior* Tanshelf, Preston Seaton *Thorp Audlin,* George Turner *Horton, Bradford,* Richard Newby *Bradford,* Christopher John Geldard *Giggleswick, Reverend* George Ash Butterton *D.D.* Giggleswick, Thomas Brayshaw *junior* Giggleswick, *Reverend* John Robinson *Settle,* Joseph Birkbeck *Auley, Settle,* John Preston *junior* Mearbeck, Settle, Christopher Ingleby *Lawkland Hall,* Robert Ingleby *Austwick,* John Ingleby *Austwick,* Richard Clapham *Austwick Hall,* James Hammond *Arncliffe, Reverend* William Boyd *Arncliffe,* William Foster *Langcliffe, Reverend* J. Harrison Evans *Sedbergh, Reverend* George Patt *Sedbergh,* Thomas Stackhouse *Stainforth,* William Richardson Bamforth *Barnsley,* Thomas Scales Cordeck *Barnsley,* John Timbell *Dodsworth,* William Collins the *younger* Knaresborough, *Reverend* Richard Collins *Knaresborough, the Right Honourable Lord Viscount* Lascelles, Jeremiah Bourne Fairell *Stockheld Park, Reverend* Thomas Charles Thompson *Ripley, Reverend* Robert D Owen, Thomas Hague Cook *Dewsbury,* John Henry Coates *Wakefield,* John Kenton Dawson *Sandal Magna, Wakefield,*

Land Tax Commissioners Names.

Wakefield, Richard Dacre Dunn *Heath*, *Wakefield*, Thomas Foljambe *Thornes*, *Wakefield*, Thomas Holy Holdsworth *Belle Vue*, *Wakefield*, Edward Aldham Leatham *Heath*, *Wakefield*, John Crompton Oddie *Oulton*, *Wakefield*, James Milnes Stansfeld *Manor House*, *Wakefield*, Henry Stansfeld *Manor House*, *Wakefield*, William Thompson *Wakefield*, George Vincent *Wakefield*, Joshua Whitaker *Ossett*, *Wakefield*, Henry Wormald *Wakefield*, *Reverend* Davis *Aldingfleet* Clerk, *Reverend* Jocelyn Willey *Drax* Clerk, *Reverend* Michael William Barstow *Rawcliffe* Clerk, John Egremont *Reedness*, Frank Henry Eadon Eadon *Snaith*, Thomas Routlidge *Pontefract*, William Moxon *Pontefract*, Thomas Carter *Pontefract*, Lionel John Brook *Pontefract*, Roger Hurst *Pontefract*, James Robson *Pontefract*, William Moorhouse *Knottingley*, Thomas Shearburn *Snaith*, Thomas Perkins *Snaith*, James Hanks *Snaith*, Richard Collins *Knaresborough* Clerk, William Driffield *Bond End*, *Knaresborough*, James Audus Whitehead *Park House*, *Selby*, Edward Wilkes Waud *Manston Hall*, *Leeds*, William Elmhirst *Stainbrough*, William Wordsworth *younger* Monkbretton, John Tyas *Barnsley*, William Harvey *Barnsley*, John Crossland Miller *Thurlstone*, Richard Bayldon Guest *Cudworth*, William Melthorp Maude *Knostrop*.

For the North Riding of the County of York.

Robert Ellerly *Salton*, Edmund Wormald *Normanby*, *Reverend* John Rowlandson *Kirkby Moorside*, William Whytehead *Clifton*, Joshua Francis Whittell *Over Helmsley*, Joseph Munby *Clifton Holme*, John Roper *Clifton Croft*, Charles Preston *Tanfield Lodge*, Thomas William Swiny *Oldstead*, Charles Horsfall *Ravensthorpe Hall*, *Boltby*, *Reverend* John Ward *Wath*, *Reverend* M. Prior *Kirklington*, George Marwood *Busby Hall*, James Emerson *Stokesley*, John Wind Coates *Stokesley*, John Fendall Newton *Kirkby in Cleveland*.

For the East Riding of the County of York.

The Honourable Arthur Duncombe *M.P.* Kilnwick Percy, *Reverend* Mark Anthony Lawton *Kilnwick Percy*, *Reverend* Christopher Rawlins *Allerthorpe*, *Reverend* John Bailey *Nunburnholme*, *Reverend* James F Gruggin *Pocklington*, *Reverend* Edward Bentley Slater *Pocklington*, *Reverend* Samuel Wilson *Pocklington*, Jonathan Harrison *Pocklington*, Harry Denison *Waplington*, Thomas William Rivis *Market Weighton*, *Reverend* William Blow *junior* Goodmanham; Charles Reynard, Harrold Barkworth, William Ditmas, Robert Keningham, Charles Brereton, Robert George Boulton, Richard Pearson, William Henry Harrison, Thomas Denton, John Gilby, William Gilby, George Harrison West, *Reverend* William Travis Sandys, *Reverend* John Burton Birtwhistle, *all of* Beverley; David Burton *junior* Cherry Burton, Francis Watt *Bishop Burton*, William Watt *Tickton*, *Reverend* Edwin Hotham *South Dalton*, Henry

Land Tax Commissioners Names.

Estonteville Grimstone *Etton*, William Baker M.D. *Howden*, John Dunn *Howden*, John Sutherland Clark *Knedlington*, Thomas St. Clair Clark *Knedlington*, Robert Menzies *junior* Wood Hall, *Reverend* Philip Simpson *Methland*, *Reverend* Charles Chisnall Hamerton *Easington*, John Anthony Hudson *Beverley*, *Reverend* Edmund Day *Norton*, *Reverend* Edward Trueman *North Grimston*, Fewster Wilkinson *Bessingby*, Lee Steere Steere *Kilham*.

For the Town of Maldon.

Edward Russell Horwood *Clerk*.

For the Town of Harwich *and* Dover Court.

John Stephen *R.N.*, John Vaux, John Nalborough, Robert Nalborough, William Bagot Nalborough, Thomas George, Lewis Cottingham, Matthew Johnson.

For the Rest of the County of Essex.

John Martham, Robert Manley *Brentwood*, *Reverend* William Robert Browell *Rector* Beaumont, *Reverend* William Bull *Vicar* Ramsey, John Cardinall *Tendring*, *Reverend* John Mitchell Chapman *Rector* Tendring, *Reverend* Charles Cuthbert Southey *Vicar* Ardleigh, *Reverend* Richard Duffield *Rector* Frating, *Reverend* Patrick Fenn *Rector* Wrabness, *Reverend* Charles Merival *Rector* Lawford, *Reverend* William Henry Nassau Bishop *Vicar* Little Clacton, *Reverend* William Thorpe *Rector* Weeley, Peter Thompson *Saint Osyth*, *Reverend* Jeffery Ekins *Little Sampford*, *Reverend* John Frederick Bullock *Radwinter*, *Reverend* Christopher Somers Clark *Little Bardfield*, *Reverend* Alexander Ronald Grant *Helion Bumpstead*, *Reverend* Robert Henery Eustace *Little Sampford*, *Reverend* John Walker *Ashdon*, *Reverend* John Stock *Finchingfield*, William Sandle *Weathersfield*, Sturgeon Nunn Brewster *Great Bardfield*, James M'Adam *Great Sampford*, Henry Hewetson *Ashdon*, *Reverend* Charles George Gretton Townsend *Hatfield Peverel* Clerk, *Reverend* Peter Whitfield Brancker *Hatfield Peverel* Clerk, Herbert Leigh *Wickham Bishops*, *Reverend* Walker Trevelyan Bullock *Faulkbourne* Clerk, *Reverend* Bradford Denne Hawkins *Rivenhall* Clerk, Francis Newcombe Landon *Brentwood*.

For the City and County of the City of Gloucester.

Charles Clutterbuck, James Peat Heane, William Washbourn, Robert Heane, Nathaniel Washbourne, Richard Hodges Carter, Edward Leader Kendall, Abraham Hodgson Phillpotts, Thomas Hobbs, George A Dyneley Goodyar, Ralph Fletcher *M.D.*, Charles Montague.

For the County of Gloucester.

Reverend Martin Henry Whish *Alderley*, *Reverend* Edward Sayers *Cold Ashton*, *Reverend* Edward John Everard *Didmarton*, *Reverend* James

Land Tax Commissioners Names.

James George Hasluck *Little Sodbury*, *Reverend* James Stuart Murray Anderson *Tormarton*, *Reverend* William Henry Boothby *Hawkesbury*, *Reverend* John Blackburne *Horton*, *Reverend* Thomas Roupel Everest *Wickwar*, *Reverend* Thomas Boys Croome *Siston*, Edmund William Rich *Didmarton*, George Toghill *Marshfield*, William Bonner Shekell *Pebworth*, Thomas Shekell *Pebworth*, Alfred Joshua Wood, James Peat Heane, William Washbourn, Robert Heane, Nathaniel Washbourn, Edward Leader Kendall, Abraham Hodgson Phillpotts, Thomas Hobbs, Arthur Levett *Hucclecote*, George A. Dyneby Goodyar, Ralph Fletcher *M.D.*, Thomas Richard Frampton *Barnwood*, John Ford Sevier *Maisemore*.

For the Rest of the County of Hereford.

Harris, James, *Breinton;* Stubbs, William, *Fownhope;* Walker, John, *Holmer;* Evans, John, *Reverend*, Kenchester; Bulmer, Edward, *Reverend*, Hereford; Gretton, Thomas, *Reverend*, Hereford; Moore, Josial Samuel, *Reverend*, Stoke Edith; Keye, William Cooper, *Reverend*, Shetton Sugwas; Coates, Unett William, *Sutton;* Martin, Thomas, *Tillington*; Pitt, Henry, *Withington;* John Murray Aynsley *the elder* Underdown, Ledbury, James Murray Aynsley *the younger of the same*, Thomas Peyton *Barton Court*, *Colwall*, Morgan Jones *Peterchurch* Clerk, Herbert Howorth Wood *Vowchurch*, Beresford Lowther *Vowchurch* Clerk, Joseph Walter Jenkins *Peterchurch* Clerk, William Cecil Fowle *Ewias Harold* Clerk, William Sellon *Kentchurch* Clerk, Edward Lutwych Davies *Wormbridge* Clerk, Robert Mapletoft *Ewias Harold*, John Jones Cleave *Hereford*, Berkeley Lionel Scudamore Stanhope *Holme Lacy* Clerk, Edward Hainsford Daniell *Upper Bullingham* Clerk, Richard Snead Cox *Eaton Bishop*, Proger Herbert Symonds *Cogedale* Clerk, Charles Dela Barre *Bodenham Rotherwas*, Samuel Babington *Fields Place*, Henry Jones Jenkins *Madley*, Francis Baker *Allensmore* Clerk, William Styles Powell *Hinton*, *the Honourable* Charles Spencer Bateman Hanbury *Shobdon Court*, *Reverend* Henry Arkwright *Bodenham*, *Reverend* Joseph Edwards *Croft*, *Reverend* Edward Charles Evans *Eyton Lodge*, *Reverend* George Thomas Whitfield *Pudleston*, Francis Woodhouse *Leominster*, Thomas William Davies *Leominster*, Thomas Bristow Stallard *Leominster*, Thomas Ashton *Hatfield Hall*.

For the Rest of the County of Hertford.

John Williamson Leader *Buntingford*, *Reverend* Charles Colson *Great Hormead*, *Reverend* John Gibson *Furneux Pelham*, *Reverend* Charles Hartley *Stocking Pelham*, George Whitelocke Lloyd *Great Hadham*, *Reverend* Charles Maxwell *Wyddiall*.

For the Town of Huntingdon.

Frederick James Howson, Charles Veasey *the younger*, William Ward, Dennis Herbert, Charles Margetts, Robert Margetts, James Balfour,

Balfour, Martin Hunnybun, Wotton Isaacson, *Reverend* Richard Haworth, Arthur David Veasey.

For the Rest of the County of Huntingdon.

William Wells *Holme Wood*, Philip Cassel Sherard *Glatton*, *Reverend* George Wingfield *Glatton*, *Reverend* Robert Cory *Stanground*, *Reverend* Thomas Ainsworth *Kimbolton* Clerk, George Richard Welstead *Stonely Hall*, *Kimbolton*, John Beedham *Kimbolton*, Thomas Day *Wornditch*, *Kimbolton*, John Martyn *Pertenhall*, *Bedfordshire*, Frederick Welstead *Stonely Cottage*, *Kimbolton*.

For the Town and Liberty of Dover.

Benjamin Eveleigh Wenthorp, Edward Ferrand Astley, Robert Sillery, Charles William Minet, James Cuthbert Ottaway, Richard Hawes Harman, George Edward Rutley, John Shipden, Thomas Evans, Frederick Hammond, Stephen Court, William Clayton, George Jeken Kennett, William Spicer Colyer, John Birmingham, John Baker, Charles Corbett, James Duke, Thomas Henley Eastes, Benvill Holmes, Thomas Ismay *senior*, John Martin, John Pierce, Samuel Pierce, James Wood *junior*, Henry Worthington, George Henry Warren, Robert William Watson, Thomas Rouse, Edmund Tharp, Henry Barber, John Briggs, George Grey *Snargate Street*, Rowland Rees, Sampson Kingsford, Joseph Bolton, William Stephen Shoobridge, John Atkinson Briggs, George Lester *junior*, Richard Fagg, Mathew Jacobs, Thomas Barber Wawne Briggs.

For the Town of Folkestone.

The Mayor and Aldermen of the Borough of Folkestone *for the Time being*, Richard Hobday, David Major, William Major, George Stone, John Sladen, Thomas Bennett, James Kelcey, William Bennett *senior*, James Tolputt, William Kelcey, Thomas Minter, Ham Tite, William Taylor Tyson.

For the Town of Fordwich.

Charles Mead *the younger*.

For the Town of Faversham.

The Mayor of Faversham *for the Time being*, *the Aldermen of the Borough of* Faversham *for the Time being*, Henry Barnes, Richard Bathurst, John Franks Chittenden, *Reverend* Charles Collins *Clerk*, Charles Drayson, Edward Garraway, William Hall, Charles Jones Hilton, Richard Jones Hilton, William Parker Hoar, Brooke Jones, John Henry Mares, Henry Shepherd *the elder*, Henry Shepherd *the younger*, Richard Goodfellow Stone, James Tassell, John Bate.

For

Land Tax Commissioners Names.

For the Town of Tenterden.

John Johnson *M.D.*, William Curties Whelan, John Scratten, Samuel Boorman, William Birch, John Ellis Mace, Joseph Spyring Mace, John Hope, Benjamin Hatch, William Grisbrook, William Hilder, John Chennell, Joseph Weld *Clerk*, Stephen Weller, Charles Shepherd.

For the Town and Liberty of Sandwich.

William Mockett, Samuel Higham, Edward Francis Stratton Reader, John Christopher Drayson, James Dorman *junior*, Valentine Hoile *junior*, Robert Lough Harrison, *the Honourable* Henry Spencer Law, Henry Benson, Henry Curling, Richard Tomson, Michael John Doyle, Thomas Rammell, John Cuttler, Samuel Sackette, Edward Hodges, John Oakley Burgess, Andrew Atkins Vincent, Henry Wise Harvey, Stephen Pritchard, George Hughes, Richard Gibbon Davey, John Barber Thornton, Edmund Thompson, Gilbert John Karney.

For the Town and Port of Hythe *and* West Hythe *within the Liberty of the said Town and Port.*

Colonel Philip Sandilands, *Reverend* Frederick Thomas Scott, *Reverend* Edwin Biron.

For the Rest of the County of Kent.

William Augustin Hyder, William Slark *J.P.*, Charles James Trueman *Hackington*, Frederick Flint *St. Dunstan. the Vicar of* Faversham *for the Time being*, William Hall *Faversham*, Richard Jones Hilton *Faversham*, Edward Homewood *Tunstall*, Francis Colville Hyde *Ospringe*, *Right Honourable* Thomas Pemberton Leigh *Trinstead*, William Augustus Munn *Throwley*, *the Vicar of* Preston-next-Faversham *for the Time being*, James Tassell *Faversham*, *Reverend* Charles Medhurst Wheeler *Clerk* Otterden, Edward Hugessen Knatchbull *Provenden*, *Norton*, Samuel Creed Fairman *Lynsted*, Edmund Barrel Faunce *Doddington*, Thomas Townend *Throwley*, Charles Warton *Hernhill*, Frederick Neame *Preston-next-Faversham*, William Jefferys *Sheldwick*, *Captain* Thomas Hilton *Nackington House*, *Canterbury*, *Captain* Charles Winter *Hill House Bridge*, *Canterbury*, Henry Cooper *Thanington*, *Canterbury*, William Plummer *Saint Augustine's*, *Canterbury*, Edward Holttum *Parade*, *St. Andrew's*, *Canterbury*, Henry Grace Wilson Sperling *Grovehurst*, *Pembury*, Edward Scoones *Tonbridge*, Henry Chippindale *Tonbridge*, John Eldridge West *Tonbridge*, *Reverend* John Page *D.D.*, Robert Coles Arnold, Thomas Henry Baker, George William Powlett *Bingham*, Thomas Harman *Brenchley*, George Guy Burton, Robert Clements, Thomas Colyer *of* Parrock, William Rosher, Samuel Sidden, *Reverend* Robert William Shaw *Clerk*, *Reverend* John William Sheringham *Clerk*, John Edward Lloyd *Greenwich*, John

Land Tax Commissioners Names.

Kynaston, William James Wattsford, Lewis Glenton, John Pontifex, Thomas Jones, Richard Smirke Martyr, Prior Purvis *M.D.*, George Fry, John Nicholls, Stacey Grimaldi, George Smith, Henry Northover Pink, John Young, John Vena Prior, Osmer King, Christopher John Lethbridge, *Reverend* Isaac North *Clerk*, *Reverend* John Young Hughes *Clerk*, *all of Greenwich*, Richard Wheen *Lewisham*, Samuel Prior *junior*, *Lewisham*, Henry Nicol *Greenwich*, George Biddell Airy *Greenwich*.

For the County Palatine of Lancaster.

Ralph Assheton *Down Hall*, *Clitheroe*, William Charles Yates *Mitton Hall*, *Clitheroe*, Dixon Robinson *Clitheroe*, Robert Trappes *Stanley House*, *Clitheroe*, Edward Hodgson *Clitheroe*, Francis Goold Dutton *Brell*, William Waddington *junior*, Richard Ranson, William Ranicars, Richard Smith, Arthur Heron, William Alexander Barrow, Thomas Whaley *of* Ince, Timothy Coop, Edwin Howarth Barnish, Robert Bone, James Millar, John M'Ghie, Thomas Rigby *senior*, Thomas Taylor *the Limes*, Henry Woods, John Winstanley *Moss House*, Thomas Gaskell *Lyon House*, Robert Grundy *Hindley*, Robert Hutchinson *Blackrod*, William Johnson *Chapel Lane*, Robert Lawrie *Ince*, John Lancaster *Ince*, William Park *New Lodge*, Richard Pennington *Hindley*, Thomas C. Ryley *Sickle Field*, Samuel Aspinall *Hindley*, Thomas Acton *Percival Place*, Reece Bevan *Fackleton House*, William Crompton *Rodney*, Richard Christopher *Ince*, Thomas Daniels *Winstanley*, Edward Evans, Ralph Foster *Hindley*, James Fairhurst *Scholes*, *all of* Wigan, Thomas Farnworth *Day House*, *Chowbent*, John Geddes *Warrington*, Holbrook Gaskell *Warrington*, Richard Glover *Hillock*, *Atherton*, William Hayes *Fairfield Leigh*, Edmund Hill *Astley*, *Worsley*, Richard Hamer *Coachfold*, *Chowbent*, George Knowles *Ashton*, *Mackerfield*, J. G. M'Minnies *Warrington*, Richard Peers *Warrington*, Peter Ryland *Warrington*, William Allcard *Warrington*, Thomas Abbott *Haydock*, John Burland *Ashton*, *Mackerfield*, George Crosfield *Fir Grove*, *Warrington*, Peter Crouchley *Golborne*, James Davies *Stanley Street*, *Warrington*, Robert Dearden *Chapel Field*, *Chowbent*, James Dean *Astley Street*, *Tyledesley*, J B Edelsten *Warrington*, Richard Evans *Haydock*, John Plumbe *Windsor House*, *Southport*, Robert Rimmer *Upper King Street*, *Southport*, Thomas Whitehead *Southport*, James Wood *Southport*, Thomas Aughton *North Meols*, Thomas Blundell *North Meols*, Thomas G. Bennett, *Sea Bank House*, *Southport*, Edward Cumpsty, *79*, *Upper King Street*, *Southport*, Thomas James Eccles *Rose Hill*, *Southport*, John Hamilton *South Street*, *Southport*, John Jackson *Southport*, Henry Jackson *North Meols*, Richard Lemt *Hawes Side*, *Southport*, James Pierpoint *Churchtown*, *North Meols*, David Laing *Hardshaw Hall*, *St. Helen's*, John Lyon *Suttonheath*, *Sutton*, Edward Makin *Ravenhead*, *Sutton*, John Mercer

Land Tax Commissioners Names.

Mercer *Barrow Street, St. Helen's*, James Parr *St. Helen's*, Thomas Robinson *Yewtree Place, Eccleston*, Richard Sherratt *St. Helen's*, Henry Twist *St. Helen's*, John Unsworth *Fleece Hotel, St. Helen's*, John Woods *Rainhill, St. Helen's*, John Wolfenden *St. Helen's*, John Arnold *Four Lane End, Eccleston*, William Brownlow *Eccleston*, William Brunskell *Church Street, St. Helen's*, John Casey *Church Street, St. Helen's*, John Copple *Eccleston*, Robert Cammock *Flint Glass Works, St. Helen's*, William Eckersley, *Brook House, St. Helen's*, W W Farrier *Worsley Brow, Sutton*, Andrew Hawksey *St. Helen's*, Thomas M. Haslenden *Cowley Vale, St. Helen's*, John Heap *Oldham*, Joseph Haigh *Primrose Bank, Oldham*, Thomas Kay *Sandy Lane, Royton*, Asa Lees *Rhodes House, Oldham*, Zaccheus Mayall *Greenacres, Oldham*, Henry Ogden Milne *Oldham*, William Ogden *North Moore House, Oldham*, John Platt *Oldham*, James Platt *Hartford House, Oldham*, William Robinson *Waterhead Mill, Oldham*, James Stott *Edge Lane, Royton*, John Schofield *York Street, Oldham*, Edwin Kavis *Oldham*, James Taylor *Crompton, Oldham*, Francis B. Whittaker *Lower House, Royton*, Sevill Wild *Greenacres Moor, Oldham*, James Wrigley *Lees, Oldham*, William Whittaker *Greenacres Moor, Oldham*, James Whitehead *Green Lane, Chadderton*, James Ashworth *senior* Royton, Jesse Ainsworth *Oldham*, William Bartley *Royton*, George Buckley *Greenacres Moor*, James Butterworth *King Street, Oldham*, James Cheetham *Firwood, Oldham*, Daniel Collinge *Oldham*, John Dransfield *Waterhead Mill, Oldham*, William Eastwood *Waterhead Mill, Oldham*, Thomas Gartside *Oldham*, William Brocklehurst *Atherton Street*, George Fogg *Market Place*, Henry Glover *Yew Tree*, Peter Allan *Houghton*, John Jones *Little New Road*, John Owen *Market Place*, Samuel C. Proctor *Eccleston Street*, Richard Roshon *Edenfield*, George Statter *Bird Hall*, Thomas Wrigley *Bridge Hall Mills*, Leonard Wild *Shuttleworth*, Thomas Aitken *St. Mary's Place*, Leonard Barnes *Red Hall*, John Crompton, Simon Farrar *Pilkington*, Edmund Grundy *Park Hills*, John Grundy *Summerseat House*, William Hamer *Heywood*, William Spencer Ray *Woolfold*, Jonathan Openshaw *Bank House*, John Parks, Alfred Reyner *Sunnyside*, William Sunderland, John Whittaker *The Hurst*, Thomas Ashton *Hyde*, George Andrew *Lower House, Mossley*, Nathaniel Buckley *Ryecroft*, Charles James Bayley *Staleybridge*, John Gartside *senior* Brookside, Samuel Hibbert *Hyde*, Watkin Lees *Dukinfield*, John Mayall *Scout House, Mossley*, Robert Platt *Stalybridge*, John Hankinson *Pendleton*, George Nelson *Pendleton*, John Tysoe *Pendleton*, John Hewitt *Pendleton*, John Marsland Bennett *Ardwick*, William Johnson *Broughton*, William Cunliff Brooks *Barlow Hall*, Thomas Barye *junior* Broughton, Frank Ashton *Mayor of* Salford, Robert Barnes *Mayor of* Manchester, Samuel Brooks *Withington*, William Fairbairn *Ardwick*, James Collier Harter *junior* Cheetham,

Land Tax Commissioners Names.

Cheetham, James Thomas Price *Moss Side*, John Aspinall Turner *Pendlebury*, Lewis Williams *Chorlton-upon-Medlock*, Peter Wood *M.D.* Ardwick, *Sir* John Potter *Manchester*, Thomas Eskugge *Heaton Norris*, John Filde, *114*, *Mormebury*, Thomas Goodeby *Throstle Nest*, *Stretford*, Alexander Henry Nicholas Heald, Abel Heywood *Oldham Street*, John Haworth *Old Trafford*, James Hervey *Mount Street*, John L Kennedy *Chadwick House*, John Kenworthy *Highfield House*, *Pendleton*, E R Langworthy, Ivie Mackie, John Mayson, William Neild, John Pender, Robert Needham Philips *the Park*, James Proctor, William Henry Petitjean, William Ross *Pendleton*, William Rawson *Wilton Polygon*, Joseph Simpson *Strutt Street*, Robert Stuart *Ardwick House*, Benjamin Syddall, William B. Watkins, James Woolley *Market Street*, Absolom Watkin, Thomas Woolley *Ancoates*, James S Young *Mosley Street*, James Chadwick *Eccles*, Matthew Curtis *Plymouth Grove*, R. D. Darbishire, Thomas Ashworth *Spring Gardens*, Wainwright Bellhouse, Hiram Brook *Clifton Hall*, William Bickham, William Bradford *High Street*, John Bright, Thomas Binyon *St. Ann's Square*, James Butterworth *Town Lane*, *Rochdale*, Joseph Brierley, *Egeston Terrace*, *Rochdale*, Thomas Hoyle *Leiskfield*, *Rochdale*, Edmund Elliott *Spotland Bridge*, *Rochdale*, James Pilling *Bridgefold*, James Pilling *junior* Bridgefield, Rochdale, Thomas Hurrend Dearden *the Elms*, *Rochdale*, Richard Stott *Entwistle Place*, *Rochdale*, James Hardman *Yorkshire Street*, *Rochdale*, William Whitworth Schofield *Yorkshire Street*, *Rochdale*, Thornton Littlewood *Hamer Hall*, *Rochdale*, James Lees *Henry Square*, *Ashton-under-Lyne*, John Petrie *junior* Castlemere, Rochdale, George Mansell *Drake Street*, *Rochdale*, James Linsey *Welloth Lane*, *Rochdale*, Thomas Broadbent Wood Manchester *Rochdale*, Thomas Shepherd Richardson *Buersill*, *Rochdale*, Thomas Southworth *Castlemere*, *Rochdale*, Joseph Hamilton Moore *Drake Street*, *Rochdale*, David Cheetham *Goose Lane*, *Rochdale*, Charles Walker *Saint May's Gate*, *Rochdale*, John Mason *Drake Steet*, *Rochdale*, John Robinson *Water Street*, *Rochdale*, Richard Hurst *Hamer Hall*, *Rochdale*, Oliver Ormerod, *Roach Place*, *Rochdale*, John Veeney *Kilnhurst*, *Todmorden*, Thomas Heap *Royton*, John Aitkin *Bacup*, Thomas Aitkin *Bacup*, Charles Holland *Liscard Vale*, Edward Heath *St. Domingo Grove*, *Breckfield Road*, John Aikin *Windermere Terrace*, *Prince's Park*, George Holt, *2*, *Rake Lane*, *Edge Hill*, Robert L Evans *Seaforth*, Robertson Gladstone, John Garniss *Castle Street*, Robert E Harvey *Walton Priory*, Lawrence Heyworth *Yew Tree*, Samuel T Hobson *Catherine Street*, John Holmes *Everton Row*, Thomas Haigh *Frazer Street*, James R Jeffrey *Compton House*, Henry W Meade King, Joseph King *Shaw Street*, William Lockerby *Fairfield Hall*, William Jeffrey Lockett *Upper Islington*, William Wright Manifold *Rodney Street*, James Mellor, James H Macrae,

Land Tax Commissioners Names.

H Macrae, Daniel Mather *Mount Pleasant*, John W Mulleneux, William Samuel Newman, David Paton, Charles Edward Rawlins, Theodore W Rathbone *Allerton Priory*, Thomas Stamford Raffles, Richard Rathbone *Woodcote*, Thomas Rodick *Gateacre*, Charles Robertson *Birchfield*, William Rathbone *Greenbank*, William Ridyard *Allerton Street*, Joseph Robinson *Castle Street*, James H Smith *Lord Street*, James Stitt *Water Street*, Samuel Thornely *Clarence Street*, Thomas Urquhart *Calderstone Cottage*, *Wavertree*, Charles Wilson *Beechley*, Henry Wood *Goree*, John H Younghusband *Elm Vale*, *Fairfield*, Peter Yond *West Derby*, John Peter George Smith *Springbank*, *Breckroad*, *Everton*, James Aikin, C J Bowring *34*, *St John Street*, T B Barclay *Wavertree Lodge*, Thomas Bolton, Thomas Blackburn, Thomas Booth, *Green Lane*, *Litherland*, Henry Crossfield *Temple Place*, William Claxton, Edward Eccles *Seaforth*, William Earle *Abercrombie Terrace*; Charles Booth, Robert Benn, James Crosfield, C G Cowie, William Cross, Robinson Duckworth, Eyre Evans, Hardman Earle, Joseph C Ewart, Edward Fletcher, Edward Estill, Vincent Higgins, Smith Harrison, Arthur Hope, Hugh Hornby, Christopher H Jones, B Heywood Jones, Alfred King, R A Macfie, James Mulleneux, John Mather, Robert Mather, Robert Mac Andrew, William Nicol, James A Picton, James Ryder, James Steains, *all of* Liverpool; John Ashton *Back Lane*, *Runcough*, John Arnold *Moor Street*, *Ormskirk*, W H Gareid *Ormskirk*, John Gregory *Slater*, *Ormskirk*, James Rothwell *Chapel Street*, *Ormskirk*, Thomas Worsley *Ormskirk*, John Winrow *Haunt Lane*, *Ormskirk*, James Eager *Ormskirk*, *Reverend* W E Rawstorne *Ormskirk*, John Dickinson *Aughton*, Matthew Ford *Maghull*, Richard Coupland Welsby *Aughton*, James Darwell *Southport*, James Longton *Southport*, Peter Wood *Southport*, Ralph Barton *Southport*, William Welsby *Ormskirk*, Henry Foster *Bickerstaffe* William Haslam *Great Bolton*, Joseph Bell *Great Bolton*, George Henry *Great Bolton*, James Hodgkinson *Barton*, John Brown Holden *Great Bolton*, Thomas Gregson *Great Bolton*, James Winder *Tongwith-Haulgh*, James Rawsthorne *Wolfenden*, *Great Bolton*, Ralph Marsden Haslam *Little Bolton*, Richard Nightingale *Little Bolton*, Walter Mangnall *Great Bolton*, Thomas Ridgway Bridson *Great Bolton*, Joseph Crook *M. P.* Great Bolton, Thomas Cullen *Great Bolton*, John Slater *Little Bolton*, John Orton *Great Bolton*, John Haslam *Little Bolton*, Richard Stockdale *Great Bolton*, John Harwood *Little Bolton*, Peter Skelton *6*, *Cheapside*, *Bolton*, Thomas Thomasson *Bolton*, Richard Wallwork *Chorley New Road*, *Bolton*, James Whitehead Ainsworth *Bolton*, Robert Walker, *Tongewith-Haulgh*, *Bolton*, Peter Rothwell Arrowsmith *the Ferns*,

Bolton, Henry Ashworth *the Oaks, Bolton*, Henry Crook *Bolton*, Charles James Darbishire *Rivington, Bolton*, Robert Heywood *Bolton*, James Knowles *Eagley Bank, Bolton*, William Makant *Gilnow, Bolton*, John Mangnall *Sharples, Bolton*, John Rothwell *Park Hill, Little Bolton*, Henry William Askew *Conishead Priory*, George Henry Carlton Sunderland *Ulverston*, Henry Hodgson *Ulverston*, Thomas Woodburne *Ulverston*, James Jackson *Ulverston*, Barnard Gilpin *Ulverston*, James Brogden *Lightburn House, Ulverston;* Robert Hopwood *junior* Mayor, William Pilkington, Robert Raynsford Jackson, Thomas Dagdale, William Hoole, Henry Hargreaves, Henry Eccles, John Livesey, John Sparrow, Richard Wilding, George Whiteley, John Butler Bowden, Henry Shaw, Daniel Thwaites, James Cunningham, *all of* Blackburn.

For the Rest of the County of Leicester.

The Reverend William Young Nutt, *Rector of* Cold Overton, Edmund Arthur Paget *Thorpe Satchville*, John Keal *Melton Mowbray*, Henry Bickley *Melton Mowbray*, Thomas Spencer *Knossington, Viscount* George Augustus Frederick Louis Curzon *Gopsal, the Honourable* Henry Dugdale Curzon *Gospal, Sir* Alexander Dixie *Bart. Market Bosworth, Major* Frederick Wollastone *Shenton*, Thomas Cope *Osbastone*, John Martin *Groby*, John Bramley *Bushby*, Charles Archdale Palmer *Clerk* Wanlip, Edward Basil Farnham *M.P.* Quorndon House, *Sir* Frederick William Heygate *Bart.* Newtown Lingford, William Poyntz Mason Owsley *Blaston*, Sheldon Cradock, *Leicester*, Henry St. John Halford *Wistow*, Thomas Miller *Leicester*, Henry Freeman George Coleman *Evington*, John William Morpet Piercy *Clerk* Slawston; Lewis, Robert, *Belgrave;* Pochin, Edward Norman, *Thurmaston*, Clerk; Knight, George, *Hungerton*, Clerk; Parr, Thomas Cart, *Cossington;* Taylor, William, *Humberstone;* Adcock, Henry Halford, *Humberstone*, Clerk; Nevile, Gerard, *Tilton-on-the-Hill, Clerk;* Hames, Joseph, *Rotherby;* Packe, Augustus, *Walton-on-the-Wolds*, Clerk; Palmer, Robert, *Withcole;* Winslow, George, *Tugby*, Clerk; Wilson, Matthew, *Loddington*, Clerk; Sykes, Robert, *the younger*, Tilton, *Clerk;* Tomlinson, Joseph, *East Norton.*

For the County of Lincoln, *with the City and County of the City of* Lincoln.

William Bancroft, Thomas Bennett, William Dann, John Skelton Edmund Tickler, John Wintringham, *all of* Great Grimsby; Richard Carline, John Dymoke, William Gresham, John Hill, William Cook Norton, *Reverend* George Rigge, William Henry Ward, Charles Ward, *all of* Lincoln; *Reverend* George Carter, Benjamin Bowles, John Cartwright, Thomas Harrison, Henry Maples, *all of* Spalding; Robert Everitt *Pinchbeck*, John Pearson Savage *Moulton*, James Whitsed *Crowland*,

Land Tax Commissioners Names.

Crowland, Thomas Jackson *Crowland*, William H Woodhouse *Imham Hall*, Charles Birch Reynardson *Holywell Hall*, *Reverend* John Birch Reynardson *Careby*, *Reverend* Charles Farebrother *Corby*, *Reverend* William Laying *Creeton*, *Reverend* George Osborn *Stainley*, William Seddon *North Witham*, George Nevile. *Frieston*, *Caythorpe*, Benjamin Handley Brown *Leadenham*, William Burcham Ewerley, John Walter Dudding *Howell*, George Whichcote *Osbornby*, Thomas Winn *North Hykeham*, *Reverend* Yerburgh Gamaliel Lloyd *Dunston*, *Reverend* Charles Smith *Boothby*, *Reverend* Christopher Whichcote *Aswardby*, Frederick Lyon Hopkins *Boston*, Thomas Garfit *Boston*, Henry Munk *Algarkirk*, Joseph Gleed *Donnington*, Edward Cayley *Stamford*, *Reverend* William Charles Denshire *Boston*, James Henry Fysh *Stamford*, *Reverend* Frederick Edward Gretton *Stamford*, Charles Haycock *Stamford*, John Harrison *Stamford*, *Reverend* Robert Hurt *Carlby*, William Landen Hopkinson *M.D.* Stamford Baron, *Reverend* Denis Edward Jones *Stamford*, Thomas Hippisley Jackson *Stamford*, *Reverend* Charles Newinson *Stamford*, Robert Nicholas Newcomb *Stamford*, Humphrey Orme *Stamford*, *Reverend* Charles Potchett *Ryhall* Joseph Phillips *Stamford Baron*, Christopher Gilbert Peacock *Greatford*, *Reverend* John Reynardson *Careby*, *Reverend* Nicholas Walters *Stamford*, *Reverend* Albert Sydney Wild *Greatford*, Allott John, *Clerk*, Maltby-le-Marsh; Bradley, Thomas, *Alford;* Cartwright, Thomas Turnell, *Well;* Grice, William, *Clerk*, Tothill; Lister, John Samuel, *Saleby;* Parker, Richard, *Clerk;* Claxby, Peacock, Wilkinson; A *Clerk;* Ulceby, Starmer Charles, *Hogsthorpe;* Samuel Briggs, *Little Gonerby*, *Grantham.*

For the City of London.

William Payne, Thomas Oliver, William Lawrence *junior*, James Clarke Lawrence, *30*, *Bread Street*, *St. Mildred*, *Cheapside*, Joseph Arnold *King William Street*, Henry Ashby, *7*, *Aldgate*, Herbert Barnard, *50*, *Cornhill*, Edward Beach, *37*, *Lime Street*, William Beard *Tower Royal*, *New Cannon Street*, Francis Bennoch *Wood Street*, Henry Robert Briggs, *5*, *Primrose Street*, *Bishopgate*, James Browne *College Hill*, *Upper Thames Street*, John Whitehead Butterworth, *7*, *Fleet Street*, Charles Buzzard, *12*, *Jury Street*, George Charter *New Cannon Street*, James Cornell *Mark Lane*, Thomas Courtney *St. Thomas Apostle*, *Queen Street*, Raikes Currie, *29*, *Cornhill*, David Dewar *King's Arms Buildings*, *Wood Street*, William Hale, *4*, *Cannon Street*, Charles James Heath *London Street*, Henry Hoar, *37*, *Fleet Street*, John Kinnersley Hooper *Alderman* Queenhithe, John Kinnersley Hooper *the younger* Queenhithe, Ebenezer Howard *Leadenhall Market*, John Humphreys, *68*, *Old Broad Street*, Charles Jack *Red Lion Wharf*, *Brickhill Lane*, *Upper Thames Street*, William Sargeson Jackson, *65*, *Leadenhall Street*, James Jervis *Turnwheel*

wheel Lane, Cannon Street, Henry Johnson, *39, Crutched Friars,* James Pateshall Jones, *112, Fenchurch Street,* Thomas Keer *Garlick Hill, Upper Thames Street,* Robert William Kennard *Upper Thames Street,* William King, *18, Bridgewater Square,* Curtis Miranda Lampson *Queen Street,* Edward Lander *Salters Hall Court, Cannon Street,* Thomas Lowray, *91, Watling Street,* Nicholas Maughan, *5, Little Distaff Lane,* John Aldin Moore, *23, Cannon Street West,* Charles Morgan *New Cannon Street,* Henry John Nicol, *22, Cornhill,* Hilary Nicholas Nissen *Great Tower Street, Sir* Charles Rugge Price *Baronet* King William Street, Henry Pritchard *Newgate Street,* William Rathbourne *Trigg Wharf, Upper Thames Street,* Charles Rivington, *1, Fenchurch Street Buildings,* Albert Savory, *9, Cornhill,* Frederick Yarde Smith, *37, Cornhill,* Thomas Sidney Smith *Great Tower Street,* Hananiah Teape, *10, Aldgate,* William James Thompson *the younger* Mincing Lane, James Thorn *Upper Thames Street,* Jonathan Thorpe *King Street,* Thomas Todd *Brick Hill Lane, Upper Thames Street,* Archibald Travers *St. Swithin's Lane,* Thomas Turnbull *Lower Thames Street,* William Tyler *Queenhithe,* William Dunsford White *Kennet Wharf, Upper Thames Street,* Alfred Wilson *Queenhithe,* David William Wire *Alderman* St. Swithin's Lane, Charles Wix, *22, Leadenhall Street,* J. L. Anderdon, *3, New Bank Buildings, Reverend* Doctor N. M. Adler, *4, Crosby Square,* T. R. Alston, *30, Bishopsgate Street Within,* Thomas Acocks, *4, Great Trinity Lane,* Thomas Acocks, *7, Old Fish Street,* James Abbiss, *60, Gracechurch Street,* Anselmo de Arroyave, *16, George Street,* Samuel Amory, *25, Throgmorton Street,* E. Absolom, *23, Rood Lane,* J. Allnutt *senior,* 50, Mark Lane, J. Allnutt *junior,* 50, Mark Lane, James Arbouin, *50, Mark Lane,* D. T. Alston, *15, Savage Gardens,* G. R. Alston, *9, John Street,* George Bishop, *8, Bull and Mouth Street,* James Bishop, *1, Lillypot Lane,* Francis Bailey, *9, Aldersgate Street,* John Thomas Bailey, *10, Carthusian Street,* William Robert Barrett, *1, Barbican Court,* William Batty, *174, Aldersgate Street,* James Bishop, *1, Lillypot Lane,* William Bousfield, *30, Saint Mary-at-Hill,* Benjamin Boyd, *4, New Bank Buildings,* John Britten, *20, Basinghall Street,* John Britten *junior,* 20, Basinghall Street, W. Bagshaw, *35, Coleman Street,* George Batty, *15 and 16, Pavement,* Charles Bischoff, *19, Coleman Street,* George Broom, *35, Coleman Street,* E. W. Bischoff, *58, Houndsditch,* H. R. Briggs, *5 and 6, Primrose Street,* Edward Burmester, *11, Great Saint Helens,* Samuel Berger, *4, 5, and 6, Well Court,* F. W. Berger, *7, Well Court,* Samuel Bevington, *67, King William Street,* Timothy Bevington, *67, King William Street,* G. W. Bartley, *41, Cannon Street,* Robert Butt, *4, Bond Court,* John Bowcher, *30, Bush Lane,* Stephen Bithray, *29, Royal Exchange,* John Banister, *17, Threadneedle Street,* D. J. Bischoff, *28, Threadneedle Street,* T. Brandram, *7, Sise Lane,* A. B. Brandram, *17, Sise Lane,* J. Baxendale, *Gresham Street,*

Land Tax Commissioners Names.

Street, J. H. Baxendale, *Gresham Street*, L. Baxendale, *Gresham Street*, William Britten, *9*, *Lawrence Lane*, S. Bousfield, *15*, *King Street*, J. P. Butt, *85*, *Cheapside*, G. F. Butt, *85*, *Cheapside*, T. B. Bumpus, *1*, *Birchin Lane*, F. Baring, *8*, *Bishopsgate Street*, T. Baring, *8*, *Bishopsgate Street*, Joshua Bates, *8*, *Bishopsgate Street*, C. P. Bousfield, *50*, *Cheapside*, J. Brocklehurst, *33*, *Milk Street*, J. Baggally, *5*, *Love Lane*, R. Baggally, *5*, *Love Lane*, J. Bradbury, *6*, *Aldermanbury*, R. B. Baxendale, *Castle Yard*, *Wood Street*, A. Brettle, *119*, *Wood Street*, E. Brettle, *119*, *Wood Street*, G. H. Brettle, *119*, *Wood Street*, Douglas Biggar, *Aldersgate Street*, Christopher Boyd, *5*, *Friday Street*, John Boyd, *5*, *Friday Street*, William Barrett, *86*, *Fetter Lane*, J. T. Betts, *7*, *Smithfield Bars*, W. Betts, *7*, *Smithfield Bars*, J. Betts, *7*, *Smithfield Bars*, D. Betts, *7*, *Smithfield Bars*, Robert Barclay, *54*, *Lombard Street*, J. G. Barclay, *54*, *Lombard Street*, R. Barnett, *11*, *Birchin Lane*, H. Barnett, *61 and 62*, *Lombard Street*, G. H. Barnett, *61 and 62*, *Lombard Street*, C. G. Barnett, *61 and 62*, *Lombard Street*, R. C. L. Bevan, *54*, *Lombard Street*, W. Bolitho *junior* 28, Fenchurch Street, J. W. Bosanquet, *73*, *Lombard Street*, Joseph Barber *America Mews*, J. R. Bousfield, *126*, *Houndsditch*, T. Bousfield, *126*, *Houndsditch*, W. Bousfield, *126*, *Houndsditch*, J. W. Bowman *Alie Street*, J. W. Burrows, *129 and 130*, *Houndsditch*, C. Burrows, *129 and 130*, *Houndsditch*, S. Burrows, *129 and 130*, *Houndsditch*, Joseph Barber *Lower Thames Street*, E. W. Barber, *50*, *Great Tower Street*, Samuel Bowring, *82*, *Great Tower Street*, Thomas Coates, *2*, *Four Dove Court*, Samuel Courtauld, *2*, *Carey Lane*, Ellis Watkin Cunliffe, *106*, *Fenchurch Street*, W. H. Cotton, *7*, *Lothbury*, S. Cotton, *7*, *Lothbury*, John Cattley, *9*, *Moorgate Street*, J. G. Cattley, *9*, *Moorgate Street*, James Cavan, *29*, *Finsbury Circus*, E. S. P. Calvert *Upper Thames Street*, W. H. Calvert *Upper Thames Street*, Henry Calvert *Brick Hill Lane*, W. J. Chaplin *Hambro Wharf*, *Upper Thames Street*, S. Copestake, *5*, *Bow Churchyard*, Edward Conder, *62*, *Queen Street*, R. T. Cousins *Dowgate Hill*, Thomas Christy, *35*, *Gracechurch Street*, Henry Christy, *35*, *Gracechurch Street*, John Christy, *35*, *Gracechurch Street*, Thomas Cooper, *5*, *Monument Yard*, George Cooper, *5*, *Monument Yard*, William Cubitt, *M.P.*, 20, Abchurch Lane, W. Chamberlain, *15*, *George Street*, Roger Cunliffe, *24*, *Bucklersbury*, Charles Cawthorne, *2*, *Salters Hall Court*, Henry Child, *9*, *St. Swithins Lane*, William Christie, *18*, *Cannon Street*, Edward Conder, *2*, *Salters Hall Court*, Phillip Cazenove, *4*, *Bartholomew Lane*, A. Colvin, *71*, *Old Broad Street*, D. B. Colvin, *71*, *Old Broad Street*, E. S. P. Calvert *Champion Lane*, W. H. Calvert *Champion Lane*, R. T. Cousens *Steel Yard*, William Croucher, *23*, *Queen Street*, J. Currie, *29*, *Cornhill*, J. G. Currie, *29*, *Cornhill*, H. Currie, *29*, *Cornhill*, R. Currie, *29*, *Cornhill*, F. W. Coates *Mitre Court*, R. Caldicott, *24*, *Wood Street*, S. Copestake, *8*, *Moor Lane*, T. Cooper *Tenter Street*, W. Cooper *Tenter Street*, J. Cooper, *46*, *Fore Street*, Charles

Land Tax Commissioners Names.

Candy, *4 and 5, Watling Street*, James Coles *junior*, 39, Old Change, John Chubb, *57, Saint Paul's Churchyard*, Andrew Caldecott, *20, Cheapside*, F. W. Coates, *4 and 5, Wood Street*, Andrew Caldecott, *20, Cheapside*, Thomas Chitty, *1, King's Bench Walk*, *Sir* William Curtis *Baronet*, 15, Lombard Street, G. L. Curtis, *15, Lombard Street*, C. B. Curtis, *74, Lombard Street*, T. Curtis, *74, Lombard Street*, J. G. Currie, *19, Change Alley*, H. Currie, *19, Change Alley*, R. Currie, *19, Change Alley*, James Cunliffe, *39, Nicholas Lane*, H. Capel *Seething Lane*, E. Corrie, *29, Mincing Lane*, W. B. Corrie, *29, Mincing Lane*, J. M. Corrie, *29, Mincing Lane*, C. G. Chenery, *9, Mincing Lane*, Joseph Dockerill, *97, Fenchurch Street*, Joseph Dockerill *junior*, 97, Fenchurch Street, Robert Duchesne, *97, Fenchurch Street*, David De Lara, *50, Leadenhall Street*, George Debnam, *8, Love Lane*, Henry Douthwaite, *17, Pavement*, Robert Dryden, *30, Coleman Street*, J. A. Doxat, *13 and 14, Bishopsgate Street*, A. J. Doxat, *13 and 14, Bishopsgate Street*, L. Doxat, *13 and 14, Bishopsgate Street*, A. Doxat, *13 and 14, Bishopsgate Street*, C. Doxat, *13 and 14, Bishopsgate Street*, John Debnam, *3, Talbot Court*, J. E. Denman, *11, Saint Benet's Place*, James Dale, *33, Fish Street Hill*, George Deane, *46, King William Street*, John Deane, *46, King William Street*, W. Dawson, *74, Cannon Street*, W. H. Dawson, *74, Cannon Street*, E. Dawson, *74, Cannon Street*, George Deane, *3, Arthur Street West*, John Deane, *3, Arthur Street West*, J. T. De la Salle, *18, Cannon Street*, Joseph Dowell, *35, Saint Swithin's Lane*, W. Devas, *24, Lawrence Lane*, T. Devas, *24, Lawrence Lane*, T. Dossetor, *12 and 13, Poultry*, C. Dimsdale, *73, Cornhill*, J. Dillon, *104, Fore Street*, H. Douthwaite, *30, Little Moorfields*, James Dignam, *8, Watling Street*, G. Dollond, *59, Saint Paul's Churchyard*, William Duff, *5, Nicholas Lane*, Henry Easton, *4, Vine Yard*, Richard Evans, *13, College Hill*, Benjamin Elkin, *4, Great Winchester Street*, Wynn Ellis, *2 and 3, Saint Paul's Churchyard*, John Ellis, *28, Ludgate Street*, William Edwards, *67, Saint Paul's Churchyard*, William Everington, *2 and 3, Saint Paul's Churchyard*, R. Ellice, *145, Leadenhall Street*, W. Ellice, *145, Leadenhall Street*, T. W. Elstob, *119, Wood Street*, E. Eagleton, *83, Newgate Street*, Francis Edwards, *122, Newgate Street*, R. Embleton, *3, George Yard*, Francis Benjamin Feltoe, *6, Billiter Street*, Francis Feltoe, *6, Billiter Street*, J. G. Fry, *14, Saint Helen's Place*, John Ferres *Maiden Lane*, J. F. Fixden, *35, Queen Street*, T. H. Fry, *77, Cannon Street*, F. H. Frinneby, *63, Cannon Street*, John Ferres, *32, Dowgate Hill*, James Freshwater, *44, Poultry*, E. Farthing, *119, Cheapside*, George Fortescue, *138, Cheapside*, W. Felgate, *4, Clement's Lane*, J. F. Fleet, *141, Fenchurch Street*, J. G. Fleet, *141, Fenchurch Street*, W. E. Franks, *35, Fenchurch Street*, W. J. Frodsham, *20, Change Alley*, A. L. Gower, *28, Coleman Street*, E. Gower, *28, Coleman Street*, R. F. Gower, *28, Coleman Street*, *Sir* I. L. Goldsmid *Baronet*, 38, Broad Street,

Land Tax Commissioners Names.

Street Buildings, David Gadsden, *2, Great Saint Helen's*, James Gadsden, *2, Great Saint Helen's*, R. Groucock, *62, Bread Street*, Samuel Garner, *61, Queen Street*, Charles Garner, *61, Queen Street*, Richard Groucock, *5, Bow Church Yard*, C. P. Grenfell, *27, Upper Thames Street*, R. W. Grenfell, *27, Upper Thames Street*, C. W. Grenfell, *27, Upper Thames Street*, H. R. Greenfell, *27, Upper Thames Street*, William Game, *42, King William Street*, W. J. Game, *42, King William Street*, S. Game, *26, Fish Street Hill*, C. V. Game, *60, Cannon Street*, H. Grover, *22, Cannon Street*, Samuel Gregson, *14, Austin Friars*, Aaron Goldsmid, *3, Warnford Court*, J. H. Gledstanes, *3, White Lion Court*, J. Greatorex, *6, Aldermanbury*, Joseph Godman *Whitecross Street*, R. Groucock, *8, Moor Lane*, Francis Graham, *37, Ludgate Hill*, A. Graham, *190, Fleet Street*, C. A. Graham, *190, Fleet Street*, T. Graham, *1, Mitre Court Chambers*, N. Goldsmid, *3, Fig Tree Court*, R. Gurney, *1, Paper Buildings*, J. P. Gassiott *senior*, 77, Mark Lane, J. P. Gassiott *junior*, 77, Mark Lane, E. Gosnell, *12, Three King Court*, J. Gosnell, *12, Three King Court*, C. Gosnell, *12, Three King Court*, S. Gurney, *65, Lombard Street*, S. Gurney *junior*, 65, Lombard Street, H. E. Gurney, *65, Lombard Street*, *Sir* R. P. Glyn *Baronet*, 66, Lombard Street, G. C. Glyn, *66, Lombard Street*, T. Gray, *5, Commercial Sale Rooms*, J. W. Gray, *5 and 11, Commercial Sale Rooms*, H. G. Gray, *5 and 11, Commercial Sale Rooms*, Thomas Herring, *40, Aldersgate Street*, Thrower Buckle Herring, *40, Aldersgate Street*, William Herring, *40, Aldersgate Street*, C. Hancock, *6, Crosby Square*, J. Holyland, *61, Bread Street*, B. W. Horne *Hambro' Wharf, Upper Thames Street*, George Hurry *Paul's Wharf, Upper Thames Street*, S. A. Hankey, *9, Laurence Pountney Hill*, Robert Huxley, *69, Cannon Street*, Ford Hale, *4, Turnwheel Lane*, William Hale, *7, Cannon Street*, Jonathan Hale, *7, Cannon Street*, R. B. Heard, *9, Cannon Street*, R. Heathfield, *3, Princes Street*, James Hooton, *2, Walbrook Buildings*, William Hooton, *2, Walbrook Buildings*, Thomas Hornby, *31, Saint Swithin's Lane*, Benjamin Hornby, *16, Cannon Street*, Joseph Hambro, *70, Old Broad Street*, John Howell, *2 and 3, Saint Paul's Churchyard*, W. S. Hale, *73, Queen Street*, J. Heathcoat, *8, King Street*, G. J. Huson, *7, Ironmonger Lane*, R. Heathfield, *4 and 5, Addle Street*, W. T. Hall, *27, White Street*, T. H. Hall *Aldermanbury Postern*, C. Hoare, *37, Fleet Street*, H. M. Hoare, *37, Fleet Street*, H. C. Hoare, *37, Fleet Street*, P. R. Hoare, *37, Fleet Street*, H. Hoare, *37, Fleet Street*, H. Horne, *64, Fleet Street*, J. Hannan, *1, King's Bench Walk*, J. A. Hankey, *5 and 7, Fenchurch Street*, T. A. Hankey, *5 and 7, Fenchurch Street*, W. A. Hankey, *5 and 7, Fenchurch Street*, O. Hanbury *junior*, 60, Lombard Street, P. Hanbury, *60, Lombard Street*, C. Hanbury, *1 and 2, Plough Court*, D. B. Hanbury, *1 and 2, Plough Court*, J. G. Hoare, *61 and 62, Lombard Street*, J. Hoare, *61 and 62*, Lombard Street, S. Hanson, *15, Trinity Square*, J. A. Hankey, *7, Mincing*

Land Tax Commissioners Names.

7, *Mincing Lane*, Thomson Hankey *junior*, 7, Mincing Lane, B. Hankey, 7, *Mincing Lane*, J. Hanson *junior*, 20, Mincing Lane, John Jerram, *14*, *Fenchurch Buildings*, R. Jaffray *Gresham Club House*, *George Street*, Richard Jaffray, *22*, *Austin Friars*, R. Jaffray *Gresham Club House*, *George Street*, William Knill, *27*, *Pudding Lane*, Henry Levy Keeling, *12*, *Botolph Lane*, James Keen, *6*, *Garlick Hill*, James Keene, *14*, *College Hill*, John Knill *London Bridge Wharf*, John Knill, *30*, *Pudding Lane*, William Knill, *30*, *Pudding Lane*, John Kerdrick, *4*, *Charlotte Row*, R. J. Knight, *83*, *Gracechurch Street*, J. M. Knight, *83*, *Gracechurch Street*, T. Kilby, *132*, *Fenchurch Street*, H. R. Kingscote, *34*, *Abchurch Lane*, E. B. Kemble, *10*, *Mincing Lane*, H. Kemble, *10*, *Mincing Lane*, W. Kirkman, *2*, *Saint Dunstan's Hill*, Thomas Ledger, *16*, *Saint Martins-le-Grand*, Joseph Lyon, *4*, *Falcon Court*, Saphirus Lowe, *48*, *Eastcheap*, Aaron Lyon, *24*, *Mitre Street*, Isaac Lyon, *36½*, *Mitre Street*, John Lupton, *53*, *Bread Street*, R. Lowcock, *4*, *Queen Street Place*, Thomas Letts, *10*, *Little Saint Thomas Apostle*, Henry Limby, *18*, *Little Saint Thomas Apostle*, Thomas Lintott, *72*, *Cannon Street*, E. F. Leeks, *2*, *Charlotte Row*, A. Le Blond, *4*, *Walbrook*, R. Le Blond, *4*, *Walbrook*, F. A. Le Mann, *15*, *Threadneedle Street*, George Lyall, *52*, *Old Broad Street*, G. D. Longstaff, *8 and 9*, *Upper Thames Street*, William Leaf *Little Carter Lane*, W. Longman, *38*, *Paternoster Row*, T. Longman, *38*, *Paternoster Row*, A. Le Blond, *24*, *Budge Row*, Edward Ledger, *74*, *Cheapside*, H. Leggatt, *79*, *Cornhill*, H. Leggatt *junior*, 79, Cornhill, T. Letts, *8*, *South Side*, *Royal Exchange*, G. Lowcock, *38*, *Cornhill*, R. C. Lambe, *96*, *Gracechurch Street*, Charles Shaw Lefevre *Whitecross Street*, William Leaf, *39*, *Old Change*, W. L. Leaf, *39*, *Old Change*, C. J. Leaf, *39*, *Old Change*, T. Y. Learmouth, *24*, *Bride Lane*, W. Learmouth, *24*, *Bride Lane*, John Labouchere, *20*, *Birchin Lane*, Solomon Maw, *11*, *Aldersgate Street*, James Morley, *4*, *Carey Lane*, William Morley *junior*, 4, *Carey Lane*, Josiah Merrill, *28*, *Pudding Lane*, Robert Tomkins Merrill, *28*, *Pudding Lane*, William Mawby, *14*, *Aldgate*, F. W. H. Mariller, *13*, *Cross Lane*, James M'Chlery, *29*, *Finsbury Circus*, Michael M'Chlery, *29*, *Finsbury Circus*, Gilbert M'Murdo, *7*, *New Broad Street*, Thomas Marsden, *2*, *Dobie's Court*, Thomas Marsden *junior*, 2, Dobie's Court, Charles Marsden, *2*, *Dobie's Court*, J. S. Marsden, *2*, *Dobie's Court*, *Sir* Chapman Marshall *Knight*, 179, Upper Thames Street, G. S. Marshall, *179*, *Upper Thames Street*, John Miller, *4*, *Queen Street Place*, George Moore, *5*, *Bow Church Yard*, G. E. Mackreth, *57*, *Cannon Street*, F. T. Mackreth, *57*, *Cannon Street*, J. S. Marratt, *63*, *King William Street*, E. L. Macmurdo *Old Swan Lane*, E. Macmurdo *Old Swan Lane*, Sparkes Moline *Upper Thames Street*, George Matson, *3*, *Martin's Lane*, G. Meggeson, *61*, *Cannon Street*, C. Marryatt, *2*, *Lawrence Pountney Lane*, H. Murrell, *1*, *Walbrook*, John Melhuish, *29*, *Saint Swithin's Lane*, John Melhuish *junior*, 29, Saint

Saint Swithin's Lane, *Sir* John Musgrove, *18, Old Broad Street*, J. C. Morice, *1, Warnford Court*, D. Mocatta, *57, Old Broad Street*, J. Morley *Gresham Street*, S. Morley *Gresham Street*, R. Martineau *Whitecross Street*, J. Martineau *Whitecross Street*, James Medwin, *23, Gracechurch Street*, J. Masterman *Clement's Lane*, J. Masterman *junior* Clement's Lane, E. Masterman *Clement's Lane*, D. Mildred *Clement's Lane*, F. Mildred *Clement's Lane*, C. Mills, *66, Lombard Street*, E. W. Mills, *66, Lombard Street*, W. Macnaughten, *134, Fenchurch Street*, G. Moffatt, *27, Fenchurch Street*, James Martin, *68, Lombard Street*, John Martin, *68, Lombard Street*, Robert Martin, *68, Lombard Street*, J. P. Muspratt, *77, Lombard Street*, H. Magnaic, *3, Lombard Street*, J. F. Morice, *29, Nicholas Lane*, J. G. Marzetti, *9, Coopers Row*, N. K. Mayo, *17, Mincing Lane*, H. Mayo, *17, Mincing Lane*, R. Moffatt, *38, Mincing Lane*, T. J. Moffatt, *38, Mincing Lane*, H. G. Noyes, *42, Moorgate Street*, T. Naghten, *32, Fenchurch Street*, Stephen Olding, *29, Clement's Lane*, Stephen Olding *junior*, 29, Clement's Lane, Joseph Obbard, *2, Crescent*, Robert Obbard, *2, Crescent*, T. Ovington, *137, Cheapside*, T. G. Ovington, *137, Cheapside*, M. Ovington, *137, Cheapside*, Robert Obbard, *2, Red Lion Passage*, S. Olding, *29, Clement's Lane*, S. Olding *junior*, 29, Clement's Lane, G. H. Oelrichs, *46, Commercial Sale Rooms*, Cornelius Pugh, *10, Philpot Lane*, W. C. Pope, *26, Pavement*, Israel Phipps, *176, Upper Thames Street*, T. H. Peacock, *4, Cannon Street*, H. J. Prescott, *55, Old Broad Street*, T. O. Powles, *13, Austin Friars*, J. D. Powles, *13, Austin Friars*, Frederick Pattison, *7, Austin Friars*, Arthur Pattison, *57½, Old Broad Street*, William Pritchard, *6, College of Doctors of Law*, W. T. Pritchard, *18, Great Knight Rider Street*, W. Prowse, *48, Cheapside*, E. Pontefex, *45, Shoe Lane*, W. Pontefex, *45, Shoe Lane*, J. Pontefex, *5, Saint Andrew's Court*, H. D. Pontefex, *55, Shoe Lane*, C. Pontefex, *55, Shoe Lane*, Thomas Pewtress, *30, Gracechurch Street*, Benjamin Pewtress, *30, Gracechurch Street*, J. T. Pritchett, *131, Fenchurch Street*, Samuel Parker, *131, Fenchurch Street*, H. Pickernell, *38, Modiford Court*, H. G. Pickernell, *38, Modiford Court*, R. Percival, *76, Lombard Street*, *Sir* C. R. Price, *3, King William Street*, C. R. Price, *3, King William Street*, H. R. Price, *7, Pope's Head Alley*, Pasteur, *38, Mincing Lane*, Patry, *38, Mincing Lane*, J. C. Quick, *148, Fenchurch Street*, T. Rolfe *junior*, 10, Great Saint Helen's, Charles Rogers, *91, Watling Street*, Thomas Ridgway, *5, King William Street*, Thomas Rowley, *75, Cannon Street*, W. D. Ramsey, *93, Cannon Street*, H. Rock, *11, Walbrook*, R. Rock, *11, Walbrook*, W. F. Rock, *11, Walbrook*, Lionel N. de Rothschild, *2, New Court*, Anthony N. de Rothschild, *2, New Court*, Nathaniel N. de Rothschild, *2, New Court*, Mayer Amschel de Rothschild, *2, New Court*, Percy Ricardo, *56, Threadneedle Street*, Ralph Ricardo, *56, Threadneedle Street*, J. Relfe, *4, Gracechurch Street*, Samuel Rowsell, *31, Cheapside*, Samuel W. Rowsell, *31, Cheapside*, Benjamin

Land Tax Commissioners Names.

Rotch, *1, Furnival's Inn*, J. R. Reay, *75, Mark Lane*, Samuel Rogers, *29, Clement's Lane*, A. W. Robarts, *15, Lombard Street*, A. G. Robarts, *15, Lombard Street*, H. C. Robarts, *15, Lombard Street*, F. W. Robarts, *15, Lombard Street*, F. Rowdon, *9, Mincing Lane*, J. Rowdon, *9, Mincing Lane*, H. Reay, *64, Mark Lane*, J. Reay, *64, Mark Lane*, James Stone, *14, Saint Martins-le-Grand*, Samuel Sharwood, *120, Aldersgate Street*, Thomas Sharwood, *120, Aldersgate Street*, John Conrad Stiffell, *13, Gresham Street West*, Henry Sturt, *2, Saint Alban's Court*, Alfred Savage, *43, Eastcheap*, John Sangster, *14, Philpot Lane*, James Ebenezer Saunders, *7, Lower Thames Street*, H. W. Schneider, *10, New Broad Street*, Joseph Strange, *65, Houndsditch*, Thomas Sharp, *18, Watling Street*, G. G. Sandeman, *7, Queen Street Place*, Saunders, *2, Queen Street Place*, W. H. Sherwin, *27, Clement's Lane*, T. Storey, *19, King William Street*, Joseph Stockford, *28, Cannon Street*, William Swepson, *68, Cannon Street*, Frederick Smith, *34, Cannon Street*, A. Smith, *1 and 2, Lombard Street*, G. R. Smith, *1 and 2, Lombard Street*, M. T. Smith, *1 and 2, Lombard Street*, S. Smith, *25, Bucklersbury*, George Sandeman, *20, Swithin's Lane*, John Stanton, *78, Cannon Street*, John Toms Stanton, *78, Cannon Street*, William Stanton, *78, Cannon Street*, Edward Stride, *6, Saint Swithin's Lane*, David Salomons, *1, Shorters Court*, W. K. Sedgwick, *4, Upper Thames Street*, J. W. Shilletto, *145, Upper Thames Street*, T. K. Shilletto, *145, Upper Thames Street*, W. Sangster, *10, South Side, Royal Exchange*, J. Sangster, *10, South Side, Royal Exchange*, S. Winkworth Silver, *10, Cornhill*, S. William Silver, *10, Cornhill*, N. Stone, *5, Aldermanbury*, A. Spottiswoode, *4, New Street Square*, W. Spottiswoode *East Harding Street*, James Soper, *81, Mark Lane*, John Soper, *81, Mark Lane*, William Stericker, *49, Fenchurch Street*, Walter Stericker, *49, Fenchurch Street*, G. Startin, *150, Fenchurch Street*, Francis Sapte, *77, Lombard Street*, G. Stone, *68, Lombard Street*, J. A. Smith, *3, Lombard Street*, T. C. Smith, *3, Lombard Street*, W. Simpson, *73, Great Tower Street*, W. Scott, *73, Great Tower Street*, W. Scott, *87, Great Tower Street*, C. Sutherland *junior*, 24, Mincing Lane, Francis Tebbutt, *3, Bull and Mouth Street*, Peter Alfred Taylor, *2, Carey Lane*, George Tringham, *2, Priest Court*, Francis Tagart, *8, Great Saint Helen's*, T. Thorman, *16, Queenhithe*, G. D. Trimbey, *39, Queen Street*, James Trimbey, *39, Queen Street*, Sackett Tomlin, *13, Nicholas Lane*, John Ingram Travers, *76, Cannon Street*, John Teesdale, *21, Cannon Street*, John Teesdale *junior*, 21, Cannon Street, H. W. Teesdale, *21, Cannon Street*, John Ingram Travers, *19, Saint Swithin's Lane*, J. G. Tyrie, *61, Old Broad Street*, Travers Twiss, *11, College of Doctors of Law*, George Tonge, *20, Lambeth Hill*, W. Thody, *4, Poultry*, C. W. Tapling, *105, Wood Street*, T. Tapling, *105, Wood Street*, J. Tritton, *51, Lombard Street*, H. Tritton, *51, Lombard Street*, Sackett Tomlin, *13, King William Street*, C. A. Townley, *81, Great Tower Street*, F. Trower, *10, Mincing*

Land Tax Commissioners Names.

cing Lane, Joseph Underwood, *25*, *Eastcheap*, J. H. Underwood, *25*, *Eastcheap*, M. Uzielli, *62*, *King William Street*, Joseph Venables, *122*, *London Wall*, John Varty, *47*, *Bishopsgate Street Within*, W. Volckman, *100 and 101*, *Bishopsgate Street Within*, C. Volckman, *100 and 101*, *Bishopsgate Street Within*, J. H. Verinder, *79*, *Saint Paul's Churchyard*, Charles Vyse, *30*, *Ludgate Street*, William Wansey, *1*, *Riches Court*, Joseph Waugh, *3*, *Saint Mary Axe*, *Captain* W. Wood *Tower Hill*, James Warren, *96*, *Houndsditch*, Robert Warren, *10*, *Montague Court*, Thomas Wilson, *83*, *Watling Street*, William Woodward, *7*, *College Hill*, T. Watkins, *1 and 2*, *Cannon Street*, B. F. Watkins, *1 and 2*, *Cannon Street*, Edward White, *27*, *Cannon Street*, Joshua Walker, *27*, *Abchurch Lane*, Robert Wrench, *39*, *King William Street*, J. M. Wrench, *39*, *King William Street*, F. Whiting, *5*, *Barge Yard*, M. Whiting, *5*, *Barge Yard*, Benjamin Wilson, *37*, *Walbrook*, James Wilson, *37*, *Walbrook*, William Wilson, *37*, *Walbrook*, D. W. Wire, *9*, *Saint Swithin's Lane*, A. C. Waterlow, *66*, *London Wall*, S. H. Waterlow, *66*, *London Wall*, B. W. Waterlow, *66*, *London Wall*, J. Waterlow, *66*, *London Wall*, A. J. Waterlow, *66*, *London Wall*, James Waterman, *59*, *Threadneedle Street*, E. Winstanley, *7*, *Poultry*, E. N. Winstanley, *7*, *Poultry*, H. G. Winstanley, *7*, *Poultry*, S. Wreford, *17*, *Aldermanbury*, J. Waterman, *32*, *Redcross Square*, H. Whichelo, *113*, *Fore Street*, W. H. Whitbread *Whitecross Street*, S. C. Whitbread *Whitecross Street*, Robert Westron, *8*, *Watling Street*, J. W. Willmot, *66*, *Gracechurch Street*, G. A. Wallis, *2*, *Philpot Lane*, E. W. Whistler, *8*, *Fenchurch Street*, H. Wilson, *8*, *King's Arms Buildings*, M. Woodhouse, *21*, *Saint Dunstan's Hill*, J. P. Woodhouse, *30*, *Mincing Lane*, R. Witherby, *20*, *Mincing Lane*, Thomas Young, *29*, *Mark Lane*, Thomas Young, *29*, *Mark Lane*, Thomas Young *junior*, 29, Mark Lane, Thomas Flight, *1*, *Bond Court*, *Walbrook*, J R Carr, *11*, *Liverpool Street*, Arthur Wilcoxon *Monument Yard*, Robert Wilcoxon *Monument Yard*.

For the City of Westminster *and the Liberties thereof, and Offices executed in* Westminster Hall.

Thomas Somers Cocks *junior* M. P., Augustus Robinson, Nathaniel Gould, Thomas Henry Longdon, Henry Derwick Jones, 23, *Soho Square*, William Jitchen *99 and 100*, *Oxford Street*, Robert Pulmen *17*, *Greek Street*, *Soho Square*, Joseph Smith *14*, *Greek Street*, *Soho Square*, John Treble *408 and 409*, *Oxford Street*, William Henry Walker *10*, *Southampton Street*, *Covent Garden*, John Peter Fowler *35*, *Bedford Street*, *Covent Garden*, Thomas Innocent *40*, *Bedford Street*, *Covent Garden*, Tavener John Miller *Millbank Street*, Alfred Haines *Leicester Street*, *Regent Street*, John Goble Balke *14*, *Essex Street*, Robert Lowe *330*, *Strand*, Arthur Leach Kirkham *318*, *Strand*, William Essex *28 Stanhope Street*, Thomas Essex *28*, *Stanhope Street*, James

Land Tax Commissioners Names.

James Aldous *Soho Square*, Henry Dervich Jones *Soho Square*, Edmund Crosse *Soho Square*, Thomas Blackwell *Soho Square*, Nugent Wade *Dean Street*, Matthew Clement Allen *Upper St. Martin's Lane*, William Fitchew *Oxford Street*, Joseph Child *Leicester Square*, Frederick Sasse *Market Street*, Edward John Otley *Conduit Street*, John Savory *New Bond Street*, Frederick Chinnock *Regent Street*, Robert Reid *Great Marlborough Street*, Onesiphorus Roberts *Marylebone Street*, *Piccadilly*, Richard Williams *Pall Mall East*, *the Honourable* Arthur Kinnaird *Pall Mall East*, Frederick Squire *Pall Mall East*, Thomas Wood *Northumberland Wharf*, John Pannett Bull *St. Martin's Lane*, Dugald Edward Cameron *Buckingham Street*, *Strand*, Alfred Alexander Julius *Buckingham Street*, *Strand*, *Sir* Charles Fox *Knight* New Street, Spring Gardens, John Henderson *New Street*, *Spring Gardens*, Thomas Brassey *Adam Street*, *Adelphi*, George Mould *Buckingham Street*, *Strand*, Alfred Giles *Adelphi Terrace*, William Lindley *Adelphi Terrace*, Thomas Clarkson, *17*, *Coventry Street*, *St. James's*.

For the Rest of the County of Middlesex.

John Wills *2*, *Esplanade*, *Ealing*, Joshua Alexander *6*, *South Street*, *Finsbury Square*, Valentine Stevens *End House*, *Brook Green*, *Hammersmith*, Thomas Mason *Norton Folgate*, William Lavin Tugwell Robins *St. Peter's Square*, *Hammersmith*, Timothy Greathead *13*, *Ely Place*, James Aldous *Soho Square*, Henry Derviche Jones *Soho Square*, Edmund Crosse *Soho Square*, Thomas Blackwell *Soho Square*, Nugent Wade *Dean Street*, Matthew Clement Allen *Upper Saint Martin's Lane*, William Fitchew *Oxford Street*, Joseph Child *Leicester Square*, Frederick Sasse *Market Street*, Jeremiah Long *St. Leonard's Shoreditch*, Robert Hughes Alder *South Bank*, Harwood Austwick *Montagu Place*, *Colonel* Michael Edward Bagnold *Hamilton Terrace*, *Reverend* Charles Baring *Queen Ann Street*, Robert Cordy Baxter *Clifton Road*, James Bell *Devonshire Place*, Thomas Holdsworth Brooking *Gloucester Place*, John Joachim Coham *Dorset Street*, Henry Charles Dakeyne *Hamilton Terrace*, Alfred Bainbridge Daniell *Wigmore Street*, *Captain* Henry Darley *Hamilton Terrace*, William Debenham *Wigmore Street*, William Debenham *junior* Wigmore Street, Thomas D'Iffanger *Melina Place*, William Field *Oxford Street*, James Frewin *Hanover Cottages*, William Robert Fry *St. John's Wood Terrace*, Clement George *Oxford Street*, Nathaniel Grant *Thayer Street*, William Patrick Grey *Abbey Place*, Joseph Grote *Gloucester Place*, William Mason Hakes *Duke Street*, Stephen Harlow Harlow *North Bank*, William Harris *North Bank*, Killingsworth Hedges *Upper George Street*, John Hunt *Beaufoy Terrace*, John Jackson *Rathbone Place*, Richard Kepp *Sussex Place*, James Large *Old Cavendish Street*, Lewis James Leslie *Margaret Street*, George Mainwaring *Harewood Square*, Richard Michell *Oxford Street*,

John

Land Tax Commissioners Names.

John Morrison *Cavendish Road West*, John Neate *Orchard Street*, George Charles Payne *Regent Street*, Thomas Pitts *Melina Place*, George Poland *Oxford Street*, Charles John Poulden *Cumberland Street*, George Kettilby Richards *Montagu Square*, James Russell *Grove End Road*, Walter Southwood *Somerset Street*, Thomas George Walmesley *Montagu Place*, John Whitmore *Oxford Street*, John Robert Daniel Tyssen *Hackney*, John Joseph Tanner *Clapton*, John Casey *Norton Folgate*, G T Kemp *Spital Square*, Hananaiah Teape *37*, *Trinity Square*, *Tower*, George Greenland *4*, *Loddidge's Buildings*, *Hackney*, George Parr *St. John's Terrace*, *South Hackney*, Frederick Clark *Claremont Cottage*, *Stoke Newington Road*, William A H Hows *99*, *Kingsland Road*, Edward Gaby *Shoreditch*, Donald Stewart *7*, *Gloucester Terrace*, *Regent Park*, Walter Southwood *Maida Hill*, Charles Henry Winfield *56*, *Tavistock Square*, James Douglas Finney *New Road*, *St. Pancras*, Saffery William Johnston *Doughty Street*, William Burchell *junior* *2*, Mecklenburg Street, Watson Ward Hayne *Red Lion Square*, *Major General* Peter De la Motte *15*, *Westbourne Terrace*, *Paddington*, William Charles Carbonell *Westbourne*, *Paddington*, John Watts *Grand Junction Terrace*, *Paddington*, Henry Weston *elder* 7 Commercial Place, City Road, Michael Hallings *3*, *Belgrave Place*, *Holloway*, Samuel Lewis *19*, *Compton Terrace*, *Islington*, William Anderson *13*, *Grove Villa*, *Highbury*, George Dyer *Down Terrace*, *Compton Road*, *Canonbury*, Daniel Davies *8*, *Notting Hill Terrace*, *Kensington*, Miles Miley *6*, *Phillimore Place*, *Kensington*, Miles Miley *the younger* same Place, Frederick Chinnock *Cricklewood near Willesden*, William Aldons *Argyle Street*, *Oxford Street*, Joseph Allison *Acton*, Alfred Hamis *Kensall Green*, Henry Daniel Davies *Spring Grove*, *Hounslow*, George Hunt *Brentford Butts*, William Edwards, *31*, *Upper Phillimore Place*, *Kensington*, Henry Bird *High Street*, *Kensington*, William Eales *Church Street*, *Kensington*, Thomas Allen Hockley, *Pembroke Road*, *Kensington*, William Colnett *11*, *Addison Road*, *Kensington*, Joseph Crooks *Brook Green*, *Hammersmith*, John Bird *the same Place*, Edward Bird *the same*, John Farnell *Isleworth*, Charles Farnell *the same Place*, John Garford *Russell Square*, Marmaduke Robert Langdale *Gower Street*, Henry Mawley *Gower Street*, George Pownall *Bloomsbury Square*, *Colonel* Joseph Leggatt *late Madras Army* Upper Bedford Place, Samuel Angell *Gower Street*, William Henry Tucker *High Holborn*, John Edwin Corben *Great Queen Street*, Frederick Augustus Carrington *Lincoln's Inn Fields*, Arthur Augustus Rasch *Upper Bedford Place*, *Major* Usborne *Upper Bedford Place*, Edward Hatton *272*, *Oxford Street*, Peter Graham *37*, *Oxford Street*, George Mallahue *25a Wigmore Street*, Charles Beevor *junior* 49, Bernard Street, Lionel Booth *Duke Street*, *Portland Place*, Jacob Bell *15*, *Langham Place*, James Bell *1*, *Devonshire Place*, Henry Methold *18*, *Nottingham Place*, Alfred Bainbridge Daniell *18*, *Wigmore Street*, Henry Crassweller

Land Tax Commissioners Names.

36, Welbeck Street, William Debenham *44, Wigmore Street,* William Foley, *13 and 14 Vere Street,* Thomas Benjamin Way *29, Wigmore Street,* Richard Humfrays *72, Wimpole Street,* George Burrows *M. D.* 18, Cavendish Square, John Scales Christian *11, Wigmore Street,* Thomas Alexander Roberts *28, Foley Place,* William Edward Luckie *83, Great Portland Street,* Robert Holland *63, Portland Place,* Peter Maize *12, Portland Place,* Adolphus William Hume *15, Blandford Square,* Thomas Learmouth *11, Wimpole Street,* Henry Lukie *84, Great Portland Street,* William Henry Lintott *23, Wimpole Street,* John Harvey *67, Charlotte Street,* Thomas Henry Filmer *32, Berners Street,* John Rawlins *2, Nassau Street,* Moses Samuel Samuel *29, Park Crescent,* Francis Ricardo *22, Harley Street,* Alexander Atherton Park *35, Wimpole Street, Lord* Dudley Coutts Stuart *6, Stratford Place,* Frederick Hale Thomson *48, Berners Street,* Samuel Gregson *32, Upper Harley Street,* Walpole Eyre Greenwell *26, Allsop Terrace,* George M Mitchell *London and Westminster Bank, Stratford Place, Reverend* Thomas Garnier *5, Upper Harley Street, Reverend* John Hampden Gurney *63, Gloster Place,* Walpole Eyre *22, Bryanstone Square,* Joseph Grote *19, Gloster Place, Captain* George Probyn *R.N.* 21, Bryanstone Square, *Colonel* Michael Edward Bagnold *28, Hamilton Terrace,* Thomas Jervis *M.D.* 24, Upper Seymour Street, William Field *224, Oxford Street,* Walter Southwood *30, Somerset Street,* Clement George *33, Oxford Street,* George Poland *90, Oxford Street,* John Whitmore *125, Oxford Street,* James Large *19, Old Cavendish Street,* John Coham *27, Dorset Street,* William Robert Fry *96, St. John's Wood Terrace,* John Loveridge *11, Grove Place,* William Garstin *4, Welbeck Street,* Thomas Potter *73, Crawford Street,* Charles Carr *Edgware Road,* William Carr *21, Montague Street,* David Harris *193, Oxford Street,* Richard Michell *93, Oxford Street,* Thomas Brandon *140, Oxford Street,* James Frewin *28, Dorchester Place,* William Anthony Mitcheson *Sunbury,* Killingworth Hedges *Sunbury,* Joseph Lidgold Whittle, Daniel Hodson, William Barlow, John Thomas Hart, John Joseph Tanner, Joseph Bartholomew, Henry Lawrence Hammack, Isaac Walker, Washington Single, William Christie, George Pearce, Nathaniel Griffin, James Walsh, William Henry Walker *11, Southampton Street, Strand,* Samuel Emsley, Thomas Hyde Hills *338, Oxford Street,* John Barrow *York Buildings,* William Berrall *Marylebone Lane,* James Berrall *Edgware Road,* Thomas Briggs *Kilburn,* Thomas Clark *Bell Street,* Charles Churchill *Upper Hamilton Terrace,* Thomas Brooke Davis *North Bank,* Edward Freeman *Wigmore Street,* David Harris *Oxford Street,* Henry Brownlow Thomas Heath *Edgware Road,* James Hibberd *St. John's Wood,* Thomas Howard *Paddington Street,* William Jones *Alpha Place,* William Naylor *James Street,* Thomas Powell *Portman Place,* Thomas Kimberley Pritchard *Manchester Street,* George Taylor *St. John's Wood Terrace,* Thomas Turnbull *Portland Terrace,* William Sewell

Portland

Portland Town, Charles Turner *Hamilton Terrace*, William Walenn *Lodge Road*, John Steward *Mortimer Street*, George Classon *Winchester Row*, Robert Yeo *St. John's Wood*, John Solomons *Northumberland Terrace*, John Wise *Cricklewood*, *Hendon*, Henry Powell *Brent Bridge*, *Hendon*, John Williams *Hammersmith*, Seymour Teulon *Woburn Place*, Richard Burnet *Piazza*, *Covent Garden*, W E Eddison *29*, *Tavistock Square*, Thomas Henry Filmers *28 and 32*, *Berners Street*, George Bird *30*, *Edgeware Road*, Thomas D'Iffanger *junior* 50, Portman Place, Joshua Alexander *South Street*, *Finsbury Square*.

For the County of Monmouth.

Sir Digby Francis Mackworth *Bart.* Glen Uske, Horace Eugene Mackworth *Llantrennock*, William Jenkins *Newport*, Alexander Howell Jenkins *Caerleon*, Thomas Cordes *Malpas*, James Brown *Brynglas*, Richard Brinsley Dowling *Llantarnam Abbey*, William Williams Phillips *junior* Pontypool, Charles Henry Williams *Hill Grove*, *Pontypool*; Brewer, Jehoiada, *Newport*; Davies, David, *Reverend*, Risca; Hughes, Thomas, *Newport*; Hellicar, John, *Newport*; Jenkins, William, *Newport*; Lewis, John, *Tydee*; Lawrence, John, *Christchurch*; Payne, John Selwyn, *Risca*; Phillips, William, R.N., *Risca*; Rennie, James, *Newport*; Webb, William Childs, *Saint Mellons*; Williams, Howell, *Reverend*, Bassalleg; Woodruff, Philip, *Machen*.

For the City and County of the City of Norwich.

Richard Bullard, Nathaniel Bollingbroke, John Barker *junior*, James Bateman, John Bright, Thomas Bugden, George Blake, Thomas Christie, Francis Clowes, William Clabburn, John Welham Clarke, Robert Colman, Samuel Coleman, John Cossey, Jeremiah James Colman, Charles Crayshaw, Henry Colman, Henry Freeman, John Browne Glendenning, Henry Gunton, Thomas Gunton *junior*, William Hall, William Pightling Jarrold, Robert Durant Holl, James King, John Kitton, William Nightingale, George Middleton, Joseph Massingham, Henry Blake Miller, James Nash, Thomas Hitchen Palmer, Arthur Pratt, Frederick Pigg, James Spatchett, James Springall, Joshua Swann, William Henry Selby, Richard Watling Sexton, Horace Watling Sexton, George Taylor, John Theobald, Robert Thorns, Stephen Wilde, George Womack *junior*, William Wilde *junior*, George Wilson, John Youngs, Francis Gostling Foster.

For the Town of Great Yarmouth.

Charles John Palmer, John Goate Fisher, Philip Pullyn, William Norton Burroughs, David Abraham Gourlay, Samuel Charles Marsh, *Sir* Edmund Henry Knowles Lacon *Baronet* M.P., John Fish, Richard Ferrier, George Smith Shingles, James Denny Chapman, Robert David Barber, Henry Jay.

For

Land Tax Commissioners Names.

For the Borough of Thetford.

Richard Munn, Garner Gill, Cornell Fison, Shelford Clarke Bidwell, John Withers Gill, John Houchen *the younger.*

For the County of Norfolk.

William Blyth *Fincham* Clerk, William Haughton Stokes *Denver* Clerk, Edmund Ethelston Peel *Wallington*, *Reverend* James Bulwer *Hunworth*, *Reverend* James Waller Bird *Briston*, *Reverend* Stephen Frost Rippingall *Langham*, *Reverend* John Bramhall *Terrington St. John's*, *Reverend* Philip Salisbury Bagge *Walpole St. Peter's*, *Reverend* Edmund Smith Ensor *Rollesby* Clerk, *Reverend* Joseph Muskett *Clippesby* Clerk, *Reverend* Edward Gillett *Runham* Clerk, *Captain Sir* Eaton Stannard Travers *R.N.* Great Yarmouth, Thomas Brightwen *Great Yarmouth*, Charles Moore *Caistor*, *Great Yarmouth*, *Reverend* William Grieve Wilson *Forncett St. Peter*, Clerk, *Reverend* John William Colenso *Forncett St. Mary* Clerk, *Reverend* Edmund Nelson Rolfe *Morningthorpe* Clerk, *Reverend* Richard Cooke Denny *Clerk* Norton Subcorse, George Holmes *Brooke*, *Reverend* Edward Rigby Beevor, Thomas Copeman, George Holmes, *Reverend* E Denny, William Wilde, Robert William Parmeter *South Erpingham.*

For the County of Northampton.

George Andrews *Caistor*, Payne Edmunds, John Patteson Holmes, John Houshold, Frederick Anthony Stansfeld Marshall, George Morris, William Paley, Andrew Percival, William George Porter, John Dauntcey Simpson, Charles Simpson, Thomas Walker, Thomas White, Nelson Wilkinson, Frederick Yorke, Frederick Urban Sartoris *Rushden Hall.*

For the Town of Newcastle-upon-Tyne.

Isaac Crawhall, Thomas Young Hall, John Gibson *Leazes Terrace*, George Thomas Railston, John Robinson *Dean Street*, Mark William Lambert, John Harvey, James Samuel Harvey, John Burnup *Clayton Street*, Henry Angus *Westgate Street*, Charles Bragg, George Hare Philipson, Thomas William Keenlyside, George Bargate, John Liddell, Edward Liddell, Thomas Emerson Crawhall, Benjamin Tulloch, Robert Johnson *Percy Street*, James Lownds, John Ormston, William Rutherford Hunter, Joseph Pollard, Edward Mather, Joseph Blacklock, James Hodgson *Eldon Street*, Francis Staniford, James Silluk, George Fenwick, John Fairbairn, Thomas Sopwith, Thomas Annandale, James Armstrong, John Bywell Mason, Maning Lonsdale Cockcroft, John Abbot, John Abbot *the younger*, Thomas Emerson Forster, John Featherstone Ayton, Andrew Annandale, Edward Richardson, John Anderson *Dean Street*, George Lambert, W J Van Haansbergen, William Young.

For

Land Tax Commissioners Names.

For the County of Northumberland.

Alexander George Grey Jesmond *High Terrace, Newcastle,* Henry Gilchrish Potter *the same,* Ralph Wake *Carlton Terrace, Newcastle,* Robert Shum Coward *Carlton, Newcastle,* Edward Nathaniel Grace *Byker,* Nathaniel Grace Lambert *Killingworth,* Henry Liddell *Longbenton,* Isaac Lowthian Bell, George Fenwick *Low Gosforth,* John Anderson *Coxlodge,* John Sopwith *Sandyford Lane,* Thomas Sopwith *the same,* John Allan *1, Victoria Terrace, Newcastle,* Henry Nairn *7, the same,* Thomas Hogg *Summerhill Terrace, Newcastle,* William Mountain *Summerhill Grove, Newcastle,* William Swanton *16, Rye Hill, Newcastle, Reverend* William Maughan *Benwell,* Charles Henry Cook *Benwell,* Matthew Robert Bigge *Fenham,* Andrew Annandale *29, Rye Hill, Newcastle,* William Wilson *39, the same,* Benjamin Lawton *42, the same,* James Longridge *43, the same,* Frederick Swan Todd *Newbiggen,* George Horner Reynard *Tynemouth, Reverend* John Frederick Bigge *Stamfordham, Reverend* George Bigge *Ovingham.*

For the County of Nottingham.

Arthur Bromley *East Stoke,* John Thorpe *Elston,* Thomas Thorpe *Coddington,* Samuel Hole *Caunton,* Hugh Morton *M.D.* Newark-upon-Trent, John Beevor *M.D.* the same, Benjamin Nicholson *the same,* William Thompson *the same,* Henry Arthur Coles *Clerk* Marnham, Henry Gilbert *Barnby-in-the-Willows,* John Procter *Clerk* Weston, William Cooke *Beesthorpe Hall,* Samuel Reynolds Hole *Clerk* Caunton, Thomas Blatherwick Redgate *Weston,* George Nevile *Wigsley,* Thomas Smith Woolley *South Collingham,* Edward Tonge *Newark-upon-Trent,* John Parkinson *Leyfields,* Richard Bridgman Barrow, Henry Cawdron Stenton, *Reverend* Henry Lea Guillebaud, *Reverend* John William Marsh, Samuel Newham, Thomas Marriott, Henry Hadden, John Bagshaw Taylor, Aldridge *Reverend* Robert, *East Retford;* Barrow, John, *West Burton;* Beevor, Henry, *Barnby Moor;* Champion, Henry, *Ranby;* Clator, John, *East Retford;* Cheadle, *Reverend* Thomas, *Dunham;* Davies, Thomas Phillips, *East Retford;* Dickonson, *Reverend* Henry, *West Retford;* Fenton, *Reverend* William Carr, *Mattenry;* Fowler, Samuel Francis, *East Retford;* Gylby, Worthington Thomas, *East Retford;* Gylby, Worthington Thomas *the younger, East Retford;* Huntsman, Benjamin, *West Retford;* King, Richard, *Darlton;* Milner, Henry Birlby William, *East Retford;* Motley, John, *South Leonton;* Newton, William, *East Retford;* Ogle, Jacob, *Clarborough;* Rogers, Edward Sharpe, *Askham;* Walker, John, *Mattenry;* Watson, Thomas, *Ordsall.*

For the Rest of the County of Oxford.

Charles Brickwell, Richard Gaffe, Edward Bennett, William Potts, John Galby Rusher, Thomas Hunt, Henry Ward, Richard Henry Rolls,

Land Tax Commissioners Names.

Rolls, Benjamin Gardner, Jonathan Gillett, Samuel Hill, Charles White Fowler, Edward Morris, Shearman Chesterman, Andrew Brisley Rye, Henry Stone, Arthur Robert Tawney, Henry Robert Brayne, Thomas Draper, Robert Stanton Wise, Timothy Rhodes Cobb, John Hasland, Jabez Stutterd, Edward Cobb, William Strange, *Reverend* Thomas Lea *Tadmarton*, John Nixon Starman *Bloxham*, *Reverend* George Warrener *Bloxham Grove*, Bernhard Samuelson *Banbury*, *Reverend* George Mawson Nelson *Boddicott Grange*, Edward Cobb *Banbury;* Ashhurst, James Henry, *Clerk*, Great Milton; Bertie, Charles M'Donnel, *Albury;* Cooke, George Leigh, *Clerk*, Beckley; Hannam, Henry, *Burcott;* Henley, Francis George, *Clerk*, *Waterperry;* Jordan, Gibbes Walker, *Clerk*, Waterstock; Peers, John Witherington, *Clerk*, Tetsworth; Prosser, James, *Clerk*, Thame; Shute, Hardwicke, *Clerk*, Little Milton; Tyndall, William Earle, *Holton;* Willoughby, *Sir* Henry, *Baronet*, Marsh Baldon; Wyatt, Charles Francis, *Clerk*, Foresthill; Ashhurst, John Henry, *Waterstock;* Bertie, *the Honourable and Reverend* Frederick, *Albury;* Harcourt, George Granville, *Nuneham Courtney;* Henley, *the Right Honourable* Joseph Warner, *Waterperry;* Henley, Joseph John, *Waterperry;* Morrell, James, *junior*, St. Clement's; Phillips, John Shaw, *Culham;* Weyland, Richard, *Woodeaton;* Weyland, John, *Woodeaton;* John Foden Hodges *Bolney Court*, William Barrington Reade *Ipsden House*, *Reverend* Thomas Baker Morrell *Rector of* Henley-on-Thames, George Pritt *Henley-on-Thames.*

For the County of Rutland.

Peter Fearnhead *Edith Weston;* Yard, *Reverend* Thomas, *Ashwell;* Lowther, Arthur, *Barleythorpe;* Twopenny, *Reverend* Thomas Nowell, *Casterton Parva;* Stuart, *Honourable and Reverend* A G , *Cottesmore;* Orme, *Reverend* George Cave, *Edith Weston;* Dalton, *Reverend* J N , *Greetham;* Wingfield, *Colonel* Henry, *South Luffenham;* Brown, *Reverend* Edward, *Lyndon;* Potchett, *Reverend* Charles, *Ryhall;* Holden, *Reverend* Henry, *Uppingham;* Heathcote, Gilbert Henry, *Normanton Park;* *Reverend* William Young Hutt *Cold Overton*, Thomas Spencer *Kurssington*, *Sir* Gilbert John Heathcote *Baronet*, Normanton Park, John Moore Pagat *Clipsham Hall*, *Reverend* John West *Clipsham Rectory*, Charles Ormston Eaton *Tixover Hall*, Henry Bennet Pierrepont *Ryhall Hall*, *Reverend* Charles John Ellicot *Pilton*, *Reverend* Marle Garfit *Stretton*, Thomas Syson *Empingham.*

For the County of Salop.

John Antice *Madeley Wood*, William Nicholas *Bronley*, Henry Dickinson *Coalbrook Dale*, William Pugh *Coalport*, William Rose *Coalport*, Moses George Benson *Lutwitch Hall*, William Archibald Eyton *Church Aston*, Saint John William Chiverton Charlton *Apley Castle*, William Turner *Wellington*, *Reverend* Benjamin Banning *Wellington*,

Land Tax Commissioners Names.

Wellington, Reverend George Lavington Yate *Wrockwardine,* Thomas Collier *Beech Hill, Chetwynd,* Thomas Whately *Clerk* Chetwynd Rectory, Robert Scott *Newport,* Robert Hughes *Newport,* Joseph Harrison Adams *Newport,* John Cooke Hill *Edgmore,* John Meire *Newport,* Thomas Rylands *Pilson,* James Howe *Adbaston Hall,* Thomas Boultbee *Great Chatwell,* Charles Waring Saxton *Clerk* Newport, Henry George Bunsen *Clerk* Lilleshall, William Sandford *Clerk* Newport, John Thomas *Ludlow,* Humphry Smith *Overton,* Brettell Vaughan *Burway,* Charles Rouse Boughton *Wenlock, Reverend* Joseph Bowles *D.D.* Stanton Lacey, Henry Cavendish Taylor *Chicknell,* Henry Slater Richards *Bridgnorth,* Joseph Thomas Parkes *Wyken House,* George Makenzie Kettle *Dallicott House,* John Stephens *the Albynes,* Richard Hodges Gwyn *Astbury Hall,* Henry Walker *Middleton Scriven,* Henry Whitmore *M.P.* White House, Rowland Hunt *Boreatton,* Edward Hunt *Boreatton,* Bulkeley Hatchett Bulkeley Owen *Tedsmore Hall,* William Sparling *the younger* Petton, Charles Sparling *Petton,* George Stanton *Ellesmere,* William Aldrich Cotton *Ellesmere,* Thomas Stephen Oswell *Ellesmere,* William Francis Oswell *Welch Frankton,* William Alexander Provis *the Grange,* Thomas John Rider *New Crickett,* Egerton William Harding *Old Spring, Staffordshire, Market Drayton.*

For the City of Bath.

George Moger *junior* Union Street, Horatio James *Milsom Street,* Walter Tucker *Union Street,* John Wright *Milsom Street,* Edward Hancock *senior* Westgate Street, Frederick Morris *Milsom Street,* Thomas Jolly *Milsom Street,* John Keys *Northgate Street,* William Green *Old Bond Street,* Frederick Marshall *24, High Street,* Robert Allen Cook *Union Street,* Thomas Archard.

For the City of Wells.

John Fry, Joseph Parsens, Thomas Parnell *Surgeon,* Thomas Badman, John Belfour Plowman, Edward Miller Wells, George Baker, William Fry, Richard Maggs, Joseph Smith.

For the County of Somerset.

William Sparks *Crewkerne,* John Sparks *Crewkerne,* John Marsh Templeman *Crewkerne,* William Fitchett Cuff *Merriott,* John Churchill Langdon *Chard,* William Blatch Cox *Combe St. Nicholas,* William Hyde *Clerk* Donyatt, James Stayner *the younger* Ilminster, Malachi Blake Collins *Ilminster,* Herbert Butler Batten, Henry William Hoskins, John Purlewent Spurway *Spring Grove Park, Milverton,* Frederick Joseph Blake Spurway *the same,* William Henry Spurway *Milverton,* George Leekey *Milverton,* Richard Bere *Milverton,* Samuel Hill *West Monkton,* Henry Shute *Cary Fitzpain, Charlton Mackerell,* William Pyne *Clerk* Charlton Mackerell, Vincent Stuckey Wood *Hill House, Langport,*

Langport, Samuel Pitman *Rumwell*, Charles James Turner *Staplegrove*, William Worthington Croker *Haydon*, William Frederick Bryant *Ashleigh*, John Barrowforth *Up Cheddon*, Frederick Doveton *Haynes Hill*, James Meredith Vibart *Chilliswood*, James Norcott *Ruishton*, John Frederick Norman *West Monkton*, William Barrett *North Currey*, John Young *Elm Cottage*, John Mockridge *Greenway*, Edward Easton *Bradford*, John Stephens *Musgrave*, William Beadon *the younger* Taunton, William Frank Elliott *Bishop's Hull*, Edward Bagehot *Canonsgrove*, Frederick N Rossiter *Taunton*, George Snow Blundell *North Town House*, *Taunton*, William Rawlinson *Taunton*, Charles Ballance *Taunton*, Thomas Mist *Bradford*, Charles Hancock *Leycroft*, *Reverend* Charles Plucknett *Holton*, *Reverend* Edmond Stanley Stanley *North Cheriton*, James Tolbut Stanley *the same*, William Gibbs *Wraxall*, John Shorland *Dundry*, *Reverend* John Matthew *Chelvy*, Henry Lucas Beard *Backwell*, Philip John William Miles *Ham Green*, *Portbury*, *Reverend* Gilbert Blackburne *Long Ashton*, John Mordaunt *Long Ashton*, Robert Beake Simmons *West Tower*, *Backwell*, Anthony Blagrave *Barrow Gurney*, Henry Blagrave *Barrow Gurney*, *Reverend* Frederick Brown *Nailsea*, Philip Simmons *West Tower*, *Backwell*, James Sparrow *Flax Bourton*, Samborne Stuckley Palmer Samborne *the younger* Timsbury, Henry Trevor Wheler *Clerk* Berkley, Henry Clutterbuck *Clerk* Buckland Denham, John W Neate *Clerk* Standerwick, Richard Hamilton *Clerk* Kilmersdon, Henry Whiteway *Clerk* Kilmersdon; Blackwell, William, *Clerk*, Mells; Thomas Green *Frome*; Henry Miller *Frome*; Wilson, Clement Cruttwell, *Frome*; Edmund Crabb Olive *Frome*, John Olive *Frome*; Henry Fowler Cotterell *Carriage Road*, *Bath*, George Shaw *Beechen Cliff Villa*, *Wells Road*, Samuel Edward Day *Greenaway Lane*, Joseph Dallaway *1*, *Widcombe Crescent*, Edward Hancock *senior* Pultney Street, William Bush 7, *Circus*, George Moger *junior* Lyncombe Hill, Frederick Dowding *Vineyards*, John Edridge *1*, *Sydney Buildings*, John Stothert *Bathwick Hill*, Henry Edmund Goodridge *Bathwick Hill*, Joseph Fasana *Edward Street*, William Green *Kensington Place*, John Stedman *Royal Crescent*, Thomas Fuller *Springfield Place*, Joseph Williams *Kingsmead Square*, Robert Allen Cook *Park Street*, *all of* Bath; James Culverwell *Wedmore*, Thomas Lax Gilling *Cheddar*, James Gordon *Weston-super-Mer*, Robert Parker *Axbridge*, Edward Humphreys Wiggett *Wrington*, *Rev.* John Yatman *Winscombe*.

For the County of Southampton *and* Isle of Wight.

May, William, *Romsey*; Wheable, Thomas, *Mitchelmersh*; William Iremonger *the Priory*, *Wherwell*, Charles March Deane, Charles Mayo, Charles Robey Rogers, James Willis, Frederick John Butler, William Isaac Nicholas, *all of* Winchester; Joshua S Sayer, John Friend Pratt, Walter Scott Dumergne *Clerk*, Edward Berthon *Clerk*, Charles Osborn, Alexander Pytts Falconer.

For

Land Tax Commissioners Names.

For the City and County of the City of Lichfield.

Brown, William; Mackleston, John, *Clerk;* Greene, Richard, *junior.*

For the County of Stafford.

George Briscoe *Bushbury*, Cornelius Jesson *Clerk* Enville, Joseph Green Bourne *Kinfare;* Samuel Chavasse, Thomas William Fletcher, William Grayebrook, Thom Philip Grayebrook, Benjamin Gibbons, Benjamin Gibbons *the younger*, Charles Girdlestone *Clerk*, James Holcroft, Brooke Robinson, Thomas Wight *the younger*, *all of* Kingswinford; Thomas Thorneycroft, George Jones Barker, Thomas Barker, Henry Ward, *all of* Wolverhampton; William Chinner *Wombourn*, Henry Charles Taylor *the Hayes*, *Stone*, George Ford *Barlaston*, Samuel Barlow Wright *Parkfields*, *Barlaston*, William Swan Dixon *Hilcote Hall*, *Eccleshall*, William Elley *Bromley*, *Stone*, John Steedman Astbury *Oalton House*, *Milwick*, Thomas Astbury *Mace House*, Edward Barlow, *Oulton*, *Stone*, John Smith Joule *Stone*, William Joule *Stone*, Thomas Marsh *Hey Mace*, William Robert Mountford Blurton *Leigh*, *Cheadle*, John Marsh *the Brooms*, *Stone*, Clement Thomas Sneyd Kymersley *Highfields*, *Uttoxeter*, Joseph Mallaby *Loxley*, *Uttoxeter*, Cockayne Frith *Highwood*, *Uttoxeter*, Edward Buller *Dilhorn Hall*, John William Philips *Team*, John Ireland Blackburn *Lightoaks*, Charles Coyney *Weston Coyney*, Robert Watt *Clerk* Cheadle, Charles William Stocker *D.D.* Draycot, John Pike Jones *Clerk* Alton, Thomas Holmes *Cheadle*, Thomas Smith *Cheadle*, Bethuel Philips *Team*, Henry Langley *Cheadle*, John Colclough Bourne *Cheadle*, William Copeland *Stoke-upon-Trent*, Thomas Firmstone *Stoney Fields*, George Granville Leveson Gower *commonly called the Marquis of* Stafford *Trentham*, Egerton Harding *Oldsprings*, Robert Hargreaves *Johnson Hall*, John Edensor Heathcote *Apedale Hall*, *Sir* Thomas William Pilkington *Bart.* Butterton Hall, *the Honourable* Charles Stanley *Manor House*, *Madeley*, William Thomas Swinnerton *Butterton Hall*, John Twemlow *Butley Court;* William Dutton, Thomas Fenton, John Ford Wyatt, John Jones, *all of* Newcastle-under-Lyme; William Fellowes *Handsworth;* Allen, Benjamen Haigh, *Yoxhall;* Bagnall, Thomas, *junior*, Westbromwich; Bott, Francis William, *Coton Hall;* Calthorpe, *Honourable* F H W G , *Perry Barr;* Calthorpe, Augustus G , *Perry Bar;* Ingram, Hugo Charles Meynell, *Hoarcross;* Ingram, Hugo Francis Meynell, *Hoarcross;* Inge, Charles, *Thorpe;* Jervis, *Honourable* William Monk, *Little Aston Hall;* Jervis, *Right Honourable* Edward, *Little Aston Hall;* Lane, John Bagot, *King's Bromley;* Lane, Cecil Newton, *King's Bromley;* Levett, Charles R , *Wichnor;* Levett, Edward, *Wichnor;* Levett, Theophilus John, *Wichnor;* Levett, T K , *Wichnor;* Macklestone, John, *Clerk*, Lichfield; Mosley, Tonman, *East Lodge*, *Tetbury;* Pye, Charles Colquhoun, *Clifton Campville;*

Swinfen, Henry, *Swinfen;* Tennant, Charles Edmund, *Rolleston;* Tennant, George, *Barton-under-Needwood;* Wolfersham, Francis Stafford, *Statfold;* Williams, Philip Addison, *Tipton;* Townsend, Henry *Rolleston;* Barton, I C , *Rangemoor;* Leigh, Henry, *Horninglow;* James Alexander Fell *Clerk* Penkridge, Richard Hazledine *Weeping Cross*, John Thomas Harland *Forebridge*, Francis Whitgreave *Forebridge*, Thomas Edward Whitby *Cresswell Hall*, James Glover Heath *Bednall*, James Shaw Hellier *Rodbaston Hall*, Charles Chester Mort *Moss Pitt*, John Morris *Wood Eaton*, Joseph Robert Whitgreave *Rugeley*, Henry Charles Vernon *Hilton Park*, Phineas Fowke Hussey *Wyrley Grove*, Newton John Lane *Brewood*, Evan Price *Dunstone*, Francis Blake *Forebridge*.

For the Borough of Stafford.

William Jones *the younger*, John Kenderdine, Robert Hughes, George Francis Griffin, Henry Lovatt.

For the Borough of Ipswich.

The Mayor and Justices of the Peace for the Time being, Thomas D'Eye Burroughes, John Patterson Cobbold, Barrington Chevallier *M.D.*, Charles Deane, Charles Burton, Samuel Belcher Chapman, George Josselyn, John Gosnall, John Walford Gosnall, Robert Burrell.

For the Borough of Sudbury.

William Baker *Brundon Hall*, Thomas Fox, Joseph Garnham, John Chrisp Gooday, Samuel Higgs, William Spooner, Richard Squire, Edward Wright, James Wright.

For the Rest of the County of Suffolk.

Reverend Charles Corrance *Vicar of* Parham; Arnold, *Reverend* Richard Aldous, *Ellough Parsonage;* Crowfoot, William Edward, *Beccles;* Dashwood, Robert, *Beccles;* Everitt, William, *North Cove Hall; Reverend* Joseph Gedge *Clerk*, Cabel Kersey *Hadleigh*, Robert Kersey *Hadleigh*, John Arwell *Hadleigh;* Bain, *Reverend* William Richard; Bevan, George James; Collett, *Reverend* William; Turner, *Reverend* George; Syer, *Captain, R.N.*; White, *Reverend* John, *Reverend* John Parkinson Sill *Westhorpe;* Samuel Peck *Eye*, *Reverend* John Mills *Bottesdale*, *Reverend* Walter Chenery *Stuston*.

For the County of Surrey.

George Balpett *Sandgates*, *Chertsey*, Thomas Chancellor *Manor House*, *Kingston*, John Humphrey *Alderman of* London *Clapham Common*, *Battersea Rise*, Seymour Teulon *Limpsfield*, Thomas Single *Bath House*, *Queen's Road*, *Peckham*, Robert Alexander Gray

the

the Terrace, Camberwell, John Meek *the same,* Frank Clarke Hills *5, North Terrace, Camberwell,* William Payne *High Steward of the Borough of* Southwark, John Cattley *Shabden Park,* James Corry Sherrard *Sidlow, Horley,* William Phillipps *Reigate Lodge, Reigate,* John Dixon *Cockshot Hill, Reigate,* William Stennett *Belle Vue, Reigate,* William Francis *Park Lane, Reigate;* Henry Sterry, George Miller Robinson, William Parkin Morgan, Thomas Young, John Dudin Brown, Samuel Morris, Cyrus Legg, George Mathews, Thomas Pelling Slee, Henry Andrews Gray, *all of* Bermondsey; William Miskin, Thomas Simson, Charles Hay, James Warren Dudin, Peter Rolt, *Reverend* Edward Blick, Henry Ravenhill, John Mews, Clement Peache, *all of* Rotherhithe; Andrew Lodwick Irvine, William Boutcher, John James Closs, *all of* Camberwell; Richard William Drew, Augustus Bradbury, John Bradbury *the younger,* William Leaf *the younger,* John Kinnersley Hooper, *all of* Streatham; Henry Ashness *Battersea Rise, Clapham Common,* Martin Blackmore *East Hill, Wandsworth,* William Hewer *St. John's Hill, Battersea Rise,* Daniel Langton *the younger* West Hill, Wandsworth, Daniel Watney *the younger* Wandsworth, John Watney *Wandsworth,* Frederick Wix *East Hill, Wandsworth;* Joseph Anderson, John Brewer, Crawford Burkitt, Craster Humble, William Harryman, Edward Kingsford, John William Monnery, Thomas Parkes, Herbert Sturmey, Frederick Simpson, *all of* St. Saviour's Southwark; Richard Brook, Richard Moser, John Roberts, Samuel Herbert Smith, Daniel Taylor, Edward Thornton, Henry Pigeon, Matthew Wicking, George Russell, *all of* St. George's Southwark; Joseph Barber *Chamberlain's Wharf,* Charles Barber, Edward Corderoy, John Corderoy, Jeremiah Giles Pilcher, Beckford Hill Philips, Charles Randall, *all of* St. Olave Southwark; Charles Fauntleroy, Charles Curling, Frederick Addis, *all of* St. John Southwark; Samuel Rangard *Kingston,* John Gilliam Stilwell *Dorking, Reverend* William Henry Joyce *Vicar* Dorking, William Simon Haughton Fitz Roy *Banstead Place, Banstead,* Felix Ladbrooke, *Headley House, Headley,* James Gadesden *Ewell Castle, Ewell,* Robert Carter *the Grove, Church Street, Epsom,* George Chancellor *Chessington.*

For Seaford *and* Pevensey.

Reverend John Harison, John Harry Evans, William Shoosmith, *Reverend* James Carnegie.

For the ancient Town and Parish of Rye.

James Foulis Plomley.

For the Town of Winchelsea.

Richard Stileman, Thomas Legg.

For

Land Tax Commissioners Names.

For the Rest of the County of Sussex.

The Honourable Henry North Holroyd *commonly called* Viscount Pevensey, *Colonel* Francis Vernon Harcourt, *Reverend* Henry Kelson *Folkington, Reverend* Augustus A Aylward *Rector* Brede, Edward Cornford *Brighton*, Henry Smithers *Brighton*, James Cordy *Brighton, Reverend* James Carnegie *Seaford, Reverend* Charles Parker *Bodiam, Reverend* John Burrell Hayley *Brightling, Reverend* Joseph Gould *Burwash, Reverend* H T M Kirby *Mayfield*, Hedworth Hylton Jolliffe *Tilgate*, Patrick Francis Robertson *M.P.*, William Phillips Lamb *Ockham House*, Francis Smith *Hastings*, William Durrant *Ticehurst, Reverend* Henry Baynton *Clayton*, James Broadwood *Crawley*, Thomas Broadwood *Crawley, Sir* John Shaw *Cuckfield, Sir* William Southfield Domville *Eastbourne*, Charles Nairn Hastie *Eastgrinstead*, Samuel Pix *Iden*, George Springett *Northiam*, James Hilder *Robertsbridge*, John Hilder *Robertsbridge*, John Nugent Barberie *Falmer*, Rush Martin Cripps *Westmeston, Reverend* George Dixon *Wivelsfield*, William Elphick *Meeching*, Burwood Godlee *Lewes*, George Molineux *junior* Lewes, Edward Monk *Lewes, Reverend* John Rich *Newtimber*, John Smith *St. Ann's, Lewes*, Thomas Whitfield *Hamsey*, Richard Dempster, William Perceval Boxall, Cobbett Derby, John Fawcett, Edward Polhill, Joseph William Moore, *all of* Brighton; William Marsh Rigden *Old Hove, Reverend* Henry Michell Wagner *Brighton, Reverend* William Philip Haslewood *Ardingly, Reverend* Robert Allen *Barcomb, Reverend* W B Otter *Cowfold, Reverend* Thomas Astley Maberly *Cuckfield, Reverend* George Croxton Shiffner *Hamsey, Reverend* John O'Brien *Henfield, Reverend* C H Borrer *Hurstperpoint, Reverend* Thomas Baden Powell *Newick, Reverend* Alfred Stead *Ovingdean, Reverend* Walter Kelly *Hove, Reverend* Robert Booth *Rodmell, Reverend* Arthur Thomas *Rottingdean, Reverend* William Sergison *Slaugham, Reverend* Charles Goring *Twineham, Reverend* C H Campion *Westmeston, Reverend* Henry Wellesley *D.D., Woodmancote, Reverend* G C Bethune *Worth, Reverend* J C F Tuffnell *Edburton, Reverend* Charles Gaunt *Isfield, Reverend* Henry Kingsmill *Buxted, Reverend* John Foley *Wadhurst*, William Delves *Frant*, Nathaniel Polhill Kell *Battle*, Henry Martin Holman *M.D., Hurstperpoint, Reverend* John Goring *Wiston Park*, Paul Foskett *Brighton*.

For the County of Warwick.

John Ebourne Rich, Gustavus Thomas Smith *Goldicote House*; Arnold, Thomas, *Withybrook*; Biddulph, *Reverend* Henry, *Birdingbury*; Butler, William Henry, *Kenilworth*; Carpenter, William, *Leamington*

Land Tax Commissioners Names.

Leamington Priors; Galton, Erasmus, *Lillington;* Goode, Richard Holland, *Allesley;* Montgomery, James, *Lillington;* Morewood, Charles Rowland Palmer, *Ladbrook;* Powell, *Reverend* Harry Townsend, *Stretton-on-Dunsmore;* Sutton, William Lucas, *Grandborough;* Townsend, Thomas, *Hillmorton;* Vaughton, *Reverend* Robert, *Arley;* Wise, *Reverend* William John, *Grandborough;* Wise, Francis, *Cubbington;* Wright, John Perkins, *Priors Marston;* William Stratford Dugdale *the younger* Merevale, *Reverend* John Digby Wingfield *Coleshill* Clerk, *Reverend* Henry Hanmer *Gredon* Clerk, Stafford Stratton Baxter *Atherstone,* Henry Power *Atherstone,* Henry Harvey Chattock *Solihull,* Richard Chattock *Solihull;* Frederick Isaac Welch, Richard Martineau, Samuel Thornton, William James, William Wills, Charles Tindal *R.N.,* William Chance *the younger,* James Lloyd *the younger,* Sampson Samuel Lloyd, Edward Gem, William Sharpe, John Brearley Payn, *all of* Birmingham; William Fowler *Erdington.*

For the City and County of the City of Worcester.

William Dolphin Lingham, Daniel Eaton, Herbert Woodward, George Owen, John Owen, Edmund Anthony Harley Lechmere, Richard Padmore, Waller Rennick, Edwin Brewen, Stanley Pamphry, John Goodwin, Thomas Walsh, Henry Aldrich, Robert Sarjeant *Clerk,* William James Edgecombe, Edward Corles, John Parker, Frederick Hall, *Dr.* James Nash, Martin Dent.

For the County of Worcester.

Daniel Zachary *Areley Kings,* Henry Crane *Astley, Reverend* John Parsons Hastings *Areley Kings* Clerk, Joseph Griffin Walker *Netherton,* John Bolton *Oakham;* James Samuel Bourne, John Orme Brettell, William Bourne, Edward Lowe Cresswell, Samuel Day Fereday, James Fisher, Henry Money Wainwright, *all of* Dudley; Edward Moore *Halesowen;* William Barrows, William Haden, Edward Terry, *all of* Dixons Green; *Reverend* Richard Williamson *Pershore* D.D., Charles Smith Hudson *Wick, Pershore,* Francis Dermot Holland *Cropthorne,* William Francis Taylor *Moseley Hall,* George Anderton *Moseley Wake Green,* Charles Perrott Noel *Bell Hall, Bellbroughton,* John Hunt *Pedmore Hall, Pedmore,* William Yale Hunt *the Yew Tree, Bellbroughton,* Percival Foster *Clent House, Clent,* Michael Grazebrook *the younger* Hayley, William Vrow *the younger* Ismere House; Churchill, William Brown, *Brookfield, Bellbroughton;* Fleming, St. John, *Henwick Grange;* Hugh Budgen Peake *Claines,* Hyla Holden *St. Martin,* John Brook Hyde *Claines,* Edmund Anthony Harley Lechmere *the Rhyd,* Richard Moon *Bevere,* Thomas Gale Curtler *Bevere,* Robert Allies *Bath Road, St. Peter,* George Woodcock

Clerk Barbourne, John Palmer *Clerk* Claines, William Tolley *Northwich*, Richard Gardner *the Parsonage*, *Ombersley*, Charles Willoughby Osborne *Ombersley*, John Whitmore Isaac *Boughton*, George Marmaduke Forster *Broadwas Court*, Matthew Heath *Wolverley*, William Grosvenor *Kidderminster*, George Crump *Kidderminster*, *Captain* George Rushout *Burford*, John Franklin Hiron *Blockley*, Edward Banbury *Blockley*, *Reverend* Charles Dunne *Earls Croome*, John William Empson *Ripple*, Gabriel Goodman *Upton on Severn*, *Reverend* Henry Charles Philpott *Severn Stoke*, George Williams *Sandford*, James Williams *Welland Lodge*, Thomas White *Upton on Severn*.

For the Rest of the County of Wilts.

Reverend Francis Henchman Buckerfield *Little Bedwin*, *Reverend* Thomas George Patrick Atwood *Froxfield*, Gabriel Goldney *Chippenham*, Jacob Phillips *Chippenham*, *Reverend* Lewis Purbrick *Chippenham*, William Wallace Rooke *Corsham*, Alexander Beaumont Rooke *Corsham*, Walter Coleman *Kington Langley*, Nathan Atherton *Kington Saint Michael*, *Reverend* Robert Martin Ashe *Langley Burrell*, *Reverend* Thomas John Wyld *North Wraxall*, Henry Goddard Awdry *Notton Lodge*, Thomas Jenkyns Heathcote *Shaw House*, Edward Weston Phillips *Melksham*, John Francis Smith *Melksham*; Thomas Clark *junior*, John Bayfield Clark, William Perkins Clark, *all of* Trowbridge; Thomas Baverstock Merriman *Marlborough*, William Seymour May *Poulton House*, Alfred Monk May *Tavernake Park*, Charles May *Marlborough*, John Brown *Marlborough*, John Iveson *Marlborough*, John Richmond Seymour *Crowood*, Jonah Reeve *Marlborough*, John Westall *Marlborough*, William Neate *Marlborough*, James Clark *Marlborough*, David Pierce Maurice *Marlborough*, John Gundry *Clatford*, Robert Caswell Long *Overton*, George Brown *Avebury*, John Allen Williams *Baydon*, Henry Frederick Butcher *Easton*, William Tanner *Overton*, Henry George Pinckney *Overton*, George White *Manton*, Henry Woodman *Stitchcombe*, William Rowland *Ramsbury*, Francis Webb Neate *Aldbourn*, F A Carrington *Ogbourn St. George*, Stephen Brown Dixon *Pewsey*, Francis Howell Baker *Foxley*, Joseph Buckland *Crudwell*, *Reverend* James Chambers *Garsdon*; Henry Thomas Chubb, Edward Harris, John Alexander Handy, William Stephen Jones, Joseph Care, Spicer Jennings, William Luce, Charles Richard Luce, Thomas Lyne, *all of* Malmesbury; Edward Miles *Dauntsey*, Charles William Miles *Malmesbury*, Robert Peacey *the younger* Crudwell, Joseph Reynolds *Malmesbury*, George Slater *Malmesbury*, William Walker *the younger* Malmesbury, George White *Cloatley*; Baily, George, *the Green*, *Calne*; Baily, John Dolman, *Calne*; Cartwright, John, *Calne*; Clarkson, Ebenezer Thomas, *Calne*; Dalby, *Reverend* William, *Compton Bassett*; Farley, *Reverend* George,

George, *Cherhill;* Fisher, *Reverend* Francis, *Hillmarton;* Gabriel, Samuel Hawkes, *Calne;* Henly, Robert, *Calne;* Henly, Robert, *junior*, Calne; Henly, Thomas Large, *Calne;* Jacob, *Reverend* William Borman, *Calne;* Pownall, James, *Calne;* George Burtt *Winterbourn Dauntsey*, Andrew Baden *Longstreet*, Frederick Angelo Bradburne *Lyburn*, Alfred Buckley *New Hall*, James George Coombs *Milford*, *Reverend* Robert Seymour Conway Chermside *Wilton*, Robert Styles Chapman *Codford St. Peter*, *Reverend* Edward Duke *Lake*, George Munkhouse Fort *Alderbury*, *Reverend* James Fraser *West Cholderton*, Frederick King *Chilmark*, Giles Loder *Wilsford*, Robert Loder *Wilsford*, *Reverend* Charles Lawford *Winterbourne Stoke*, Francis Stephen Long *Bulford*, *Reverend* Francis Lear *Bishopstone*, *Reverend* Edward Luard *Winterslow*, Leonard Pitt Maton *Maddington*, William Herbert Maund *Laverstock*, Stephen Merris Mills *Elston*, James Edward Nightingale *Wilton*, *Reverend* Richard Payne *Downton*, *Reverend* Wellesley Pole Pigott *Bemerton*, Archibald Frederic Paxton *West Cholderton*, John Rebbeck *Ebbesbourne Wake*, Thomas Ettwell Simpkins *Ablington*, Edwin Simpkins *Alton*, Henry James Fowle Swayne *Recorder of* Wilton, *Reverend* Newton Smart *Alderbury*, Charles Robert Smith *Shrewton*, Henry Thomas *Landford*, *Reverend* Thomas Taylor *Boscombe*, Charles Wansbrough *Shrewton*, Robert Waters *Boscombe*, John Henry Campbell Wyndham *the College* Salisbury.

For the County of Westmoreland.

Richard Atkinson *junior* Kirkby Lonsdale, William Talbot *junior* Lane House, Preston Patrick, William Thompson *Underley Hall*, William Wilkinson, William Hope *Brampton Crofts*, Edward Cooks *Clerk* Kirkby Thore, Francis John Courtenay *Clerk* Langmartin, Richard Burn *Orten Hall*, Septimus John Sisson *Clerk* Orten, Thomas Harrison *Singleton Park*, *Kendal*, Richard Wilson *Thorns Underbarrow*, *Kendal*, William Henry Wakefield *Kendal*, William Wakefield *Birklands*, *Kendal*, Edmund Harrison *Old Hall*, *Kendal*, Edward Crewsdon *Kendal*, James Cropper *Eller Green*, *Kendal*.

For the County of Anglesey.

Reverend David Williams *Llanfachreth*, Stephen Roose *Llynnon*, *Llanddausaint*, *Reverend* William Johnson *Llanbadrig*, *Cemmaes*, John Richards *Treiorwerth*, *Bodedern;* Evans, Charles Henry, *Plas Gwyn;* Griffith, George Richard, *Pencraig;* Jones, Robert Wynne, *Beaumaris;* Owen, *Reverend* Henry, *Llangefin;* Owen Owen *Gadlys;* Robert, *Reverend* John, *Llansadwrn;* Schwabe, Salis, *Glyn-y-Garth;* Williams, *Sir* John Hay, *Baronet*, Rhianva.

For

Land Tax Commissioners Names.

For the County of Carmarthen.

Thomas Samuel Trafford *Plas Hoel*, William Owen Brigstock, *Gellydowill*, *Reverend* George Griffiths *Clerk* Convil Elvet, *Captain* Charles Hamlyn Williams *Ferry Side*, *St. Ishmael*, Richard Jennings *Gellydeg*, *Llandefeilog*, William Humphreys Wern *Llandefeilog*, David Evan *Towey Castle*, *Llandefeilog*, Loftus Warren Peacocke *Upland*, *Llandefeilog*, David Evans *Coedlline*, *Llandefeilog*, Richard Maliphant *Anne Street*, *Kidwelly*, Thomas Bowen *Aqueduct Cottage*, *Kidwelly*, William Young *Rant*, *Llangunnor*, George Davies *Piburrwen*, *Llandefeilog*, William Parker Howell *Penyrhiol*, William Lewis Phillips *Clungwynne*, Charles Lewis Crosswell *Llanbridy*, George Thomas *Parke*, *Reverend* Jasper Nicols Harrison *Langharne*, Dennis Fairchild *Langharne*, Thomas Morgan *Maesgwrda*, Robert Waters *Sarnan*, James Rogers *St. Clear's*, Henry Shield *Llandawke*, *Reverend* Joseph Williams *St. Clear's*, Benjamin Jones *Goring Place*, *Llanelly*, Henry Jones Evans, Benjamin Thomas Richard Bevan Jones, John Pasley Luckraft, *all of* Llanelly; David Edward Jones *Velindre*, *Llandovery*, William Rees *Llandovery*, David Thomas *Llandovery*, John William *Arengo Cross*, *Abermaelais*, John Lucas Popkin *Llandilo*, James Jones *Llywndewy*, *Llangadock*, Lewis Morgan *Vicarage*, *Llandebie*, Clerk, George Prytherch Price *Llandilo*, William W Morgan *Glanbrydan*, *Llandilo*, *Reverend* H. J. Davies *Clerk* Cayo Vicarage, Thomas Elliott.

For the County of Carnarvon.

Charles John Sampson *Tycôch*, William Griffith Griffith, *Cre Synamon*, Thomas Turner *Plas-brereton*, *Reverend* Thomas Thomas *Vicarage* Carnarvon, *Reverend* Evan Owen Hughes *Rectory* Llandaniollen, Arthur John Dodson *Garth*, *Bangor*, Hugh Robert Hughes *Bangor*, Thomas Edward Mostyn Lloyd Mostyn *Gloddaeth*, John Lloyd Jones *Treganuy*, Samuel Dukenfield Darbishire *Pendyffryn*, James Edwards *Benarth*, Thomas Hugh Davies Griffith *Caerhyn*, Anwhyl Jones *Llanfairfechan*, James Wyatt *Lime Grove*, *Reverend* William Lewis Walker *Trefrui* Clerk, *Reverend* Richard Jones *Dolyddelen* Clerk, *Reverend* Edward Oldfield *Llysfaen* Clerk, *Reverend* William Morgan *Llandegar*.

For the County of Denbigh.

Reverend William Edwards *Llangollen*, Richard Drinkwater *Genfron*, *Llangollen*, Richard Ellerton *Llantisylis Hall*, Richard Edwards *Glanafon*, *Llangollen*, Edward Lloyd Ward *Chirk*, *Reverend* Joseph Maude *Chirk*, Ebenezer Cooper *Llangollen*, Samuel Edwardes *Vale Street*, *Denbigh*, Richard Williams *Vale Street*, *Denbigh*, William Owen *Tan-y-Gyrt*, Richard Williams *Bron-y-Park*, *Denbigh*, *Reverend* Edward Smart *Vicarage*, *Llenllan*, Edward Humphrey Griffith

Land Tax Commissioners Names.

Griffith *Plasnewydd*, *Reverend* Robert Jones Roberts *Plas Pigot*, John Foulkes *Ashfield*, *Wrexham*, Richard Jones *Bellan Place*, *Ruabon*, John Panton Gubbins *Gresford*, George Stanton *Penŷnant*, *Ruabon*, John Lees *Gerwyn Fawr*, *Wrexham*, John Burton *Minera*, *Wrexham*, William Langford Foulkes *Wrexham*, James Hassall Foulkes *Llai Place*, George Hammond Whalley *Plas Madoc*, Thomas Edgeworth *Wrexham*.

For the County of Flint.

Thomas Kyffin Roberts *Elwy Place*, *Saint Asaph*, Edward Waln, William Reynolds, John Hampton, Joel Williams, *Reverend* Edward Jones *Clerk* Gwaenyscor, *Reverend* Richard Henry Jackson *Clerk* Newmarket, Thomas Hughes *Bodfor*, *Rhyl*, John Tarlton *Rhyl*, Richard Sankey *Prestatyn*, Thomas Sleight *Rhŷd*, *Dyserth*, Alexander Cope *Holway House*, Edward Henry Williamson *Greenfield*.

For the County of Glamorgan.

Reverend William Bruce *St. Nicholas*, David Samuel *Bonvilston*, *Reverend* Lewis Thomas *Bonvilston*, *Reverend* David Morgan *Lancowren*, *Reverend* John Morgan *St. Andrew's*, *Reverend* L A Nicholls *St. Bride's*, James Colquhoun Campbell *Merthyr Tydfil* Clerk, Judah Jones *Caerphilly* Clerk, George Overton *Gwaelodygarth*, *Merthyr Tydfil*, George Williams *Hendredenny*.

For the County of Merioneth.

Charles Lloyd Tamberlain *Bryn Llanymowddwy*, *Reverend* Ebenezer Edwards *Rectory* Mallwyd, Henry Teal *Caer Gof*, *Mallwyd*, Edward D Rowlands *Peneartharms*, *Mallwyd*, Rice Hugh Anwyl *Bala*, Owen Richards *Bala*, William Jones *Bala*.

For the County of Montgomery.

Reverend David Davies *Rector* Castlecaerinon, Henry Kerrison *Gungrogfechan*, William Thomas *Varchoel*, Henry Ayre *Trederwen*, Arthur James Johnes *Garthmill*, George Brace *Penthryn*, *Reverend* Edward Dyer Green *Nantcribbe Hall*, *Forden*, Clerk, Richard Humphreys *Montgomery*, John Pryce Jones *Mellington Hall*, Francis Johnson Ford *Llwyngwern*, *Llanwrin*, Joseph Owen Jones *Dolycorsllwyn*, *Cemmes*, Arthur Oliver *Aberhineath*, *Cemmes*, Edward Davies *Galltyllan*, *Penegoes*, Evan Lloyd *Captain H.E.I.C.F.* Machynlleth, Maurice Evans Lewis *Garthgwynion*, *Machynlleth*, Thomas Owen Kinsey *the Moat*, Thomas Evans Kinsey *Marsmawr*, Evan Kinsey *Marsmawr*, William Parry *M.D.* Caersws, Evan Powell *Trewythen*, Henry Nicholes *Bryneamesir*, *Berriew*, John Bulckley Williams *junior* Glanhafron, Bettws.

Land Tax Commissioners Names.

For the County of Pembroke.

Seymour Allen, James Robertson Bryant, *Reverend* William Bowling, John Leach, *Reverend* John Phelps, Nicholas Adamson Roch, David Shewen Thomas, *Reverend* Edmund Edward Allen *Woodhouse* Clerk, John Beynon *Trewern*, *Reverend* James Dalton *Saint Issells* Clerk, William George *Llan*, John Griffiths *Woodfield*, William Llewellin Gwynne *Lampeter*, *Reverend* Richard Hughes *Penlan* Clerk, James James *Lawhaden*, *Reverend* Richard Bowen Jones *Durdy* Clerk, William Llewelyn *Bonvilles Court*, John Miles *Templeton*, *Reverend* John Dawkins Palmaur *Cresselly* Clerk, *Reverend* William David Philipps *Crunnwear* Clerk, Barton Edmund Rees *Penllwyn*, John Roblin *Market Square*, *Narberth*, Thomas Stephenson *Saundersfoot*, John Thomas *Narberth*, Edward Wilson *Hean Castle*, *Reverend* Thomas Richardson *Fishguard*, David Vaughan *Fishguard*, Richard Ingram Dansey *Dyffryn*, William Matthews *Pencoed*.

For the County of Radnor.

John Jones *Cefnfaes*, William Jones *Rerayader*, William Davies *Ashfield*

For the Shire of Edinburgh.

The Honourable William Henry Walter Montagu Douglas Scott *commonly called the Earl of* Dalkeith, *the Honourable* David Stuart Erskine *commonly called Lord* Cardross, *Sir* James Gardiner Baird *Saughton Hall* Baronet, *Sir* David Baird *Newbyth* Baronet, *Sir* Thomas Gibson Carmichael *Hailes* Baronet, *Sir* John Warrender *Bruntsfield* Baronet, David Ainslie *Costerton*, William Bonar *Warriston*, James Caird *House of Muir*, James Clerk Maxwell *younger* Middlebie, James Clerk Rattray *Bonnington and Craighall*, *Rattray*, Charles Cowan *Loganhouse*, George Cranstoun Trotter Cranstoun, *Dewar*, John Forrest *younger* Comiston, Charles Halkett Craigie Inglis *Cramond*, John Inglis *Redhall*, Charles Lawson *Borthwickhall*, Alexander Learmouth *the younger* Dean, Peter Mac Lagan *Pumpherston*, Peter Mac Lagan *younger* Pumpherston, George Fergusson Maitland *Hermand*, Andrew Melrose *Glencorse*, George Mitchell Innes *Ingliston*, John Murray *younger* Craigend, William Scott Moncrieff *younger* Fossaway, John Marshall Mowbray *Hartwood*, Henry Raeburn *Howden*, Henry Raeburn *younger* Howden, Charles Frederick James Everard William George Rocheid *Inverleith*, Archibald Trotter *Bush*, Robert Archibald Trotter *younger* Bush, Coutts Trotter *Dreghorn*, James Stuart Tytler *the younger* Woodhouselee, James Walker *younger* Dalry, William Wilkie *Bonnington*, John Thomas Gordon *Sheriff Depute for the County of* Edinburgh, Andrew Jameson *Sheriff Substitute for the County of* Edinburgh, Patrick Arkley *Sheriff Substitute for the County of* Edinburgh.

For

For the Shire of Haddington.

Alexander Kinlock *younger* Gilmerton, James Grant Suttie *younger* Prestongrange, Arthur Trevelyan *Tyneholm*, Gideon William Bell *East Fortoun*.

For the Shire of Roxburgh.

The Right Honourable William Henry Walter Scott *commonly called Earl of* Dalkeith, James Hope Scott *Abbotsford*, James James *Samieston*, Bruce *Langlee*, John Nisbett Murray *Whitmoor*, Cotesworth *Cowdenknowes*, William Elliot Lockhart *younger* Borthwickbrae, George William Hutton Riddell *Muselee*, Robert Turnbull *younger* Merrylaw, John Boyd *Maxpoffle*, Boyd *younger* Maxpoffle, Adam Thomson *Templehall*, Thomson *younger*, Charles St. Clair *younger* Stonedge, George Home Monro *Binning Home*, *Softlaw*, Turnbull *younger* Galalaw, Somerville *Charlesfield*, Robert Scott *younger* Raeburn, Lees *Fens*, Charles Currie *younger* Lenthill, Sprot *younger* Riddell, Thomas Scott *Graden*, Antrobus *younger* Rutherford, *the Honourable* Stuart Erskine *commonly called Lord* Cardross, George Baillie *younger* Mellerstain, William Watson *younger* Burnhead, Charles Rae *Halterburnhead*, William Scott Chisholme, Chisholme, Scott Chisholme *the younger*, Brunton *Ladhope*, Charles Scott Plumber, *Wool Middleshead*, Thomson, Kainflatt, John Mair Grainger *younger* Maddersland, Thomas Monro Monro *Benrigg*, Brunton *Hiltonhill*, Alexander Pringle *younger* Whytbank.

For the County of Selkirk.

William Brown *Elmburn*, *the Provost of the Royal Burgh of* Selkirk *for the Time being*, *the Two Bailies of the Royal Burgh of* Selkirk *for the Time being*, Henry Scott *Overkirkhope*, Robert Keith Pringle *Broadmeadows*, Alexander Pringle *younger* Broadmeadows, John Scott *younger* Overkirkhope.

For the Shire of Peebles.

Sir Thomas Gibson Carmichael *Baronet* Skirling, William Chambers *Glenormiston*, *the Earl of* Dalkeith *Dalkeith Palace*, William Goldie *Bromlee*, Richard Gordon *Badinsgill*, Alexander Horsburgh *Pirn*, John Miller *Leithenhopes*, Alexander M'Neal *Bordlands*, John Edulphus Swinton, *Swinton Bank*, Charles Tennant, *the Glen*, Thomas Welsh *younger* Earlshaugh.

For

Land Tax Commissioners Names.

For the Shire of Lanark.

David Bell *Blackhall*, John Dixon *younger* Hartree, *Colonel* Thomas Monteath Douglas *Stoneleyrs*, John Findlay *younger* Easterhill, David Forrest *younger* Treesbank, John Gebbie *younger* Hallburn, James Hamilton *Longrigg*, William Harvie *Brownlee*, Henry Houldsworth *Coultness*, Henry Houldsworth *younger* Coltness; Lewis Potter *Udslone and Dykehead*, John Campbell Renton *Symington*, George Robertson *Auchingray*, David Robertson Souter *Lawhead*, John Martin Roughan *Haughead*, Alexander S Sprot *younger* Garnkirk, John Tennant *Crofthead*, James Thomson *Birkenhead*, James Thomson *Kilbank*, William Allan Woodrop *Elsrighill*, Thomas Tenent *younger* Crofthead.

For the Shire of Dumfries.

Ainston, David Corse Hunter, *Broomrig;* Armstrong, George, *Castlemilk;* Armstrong, James, *Dunnesslin;* Arundell, William Francis Hunter, *Barjarg;* Baird, Douglas, *Closeburn;* Barber, John, *Tererran;* Beattie, James, *Davington;* Bell, George Graham, *Castleoer;* Bell, Thomas Johnstone, *Torbeckhill;* Bell, William, *Sinclairburn;* Bogie, Agnew Black, *Dornocktown;* Brodie, Charles, *Bush;* Buchanan, *Reverend Doctor* James, *Hetlandhill;* Campbell, Thomas, *Killyleoch;* Carlyle, Thomas Johnstone, *Waterbeck;* Carlyle, Thomas, *Craigenputtock;* Carruthers, David Alexander, *Warmanbie;* Carruthers, William Francis, *Dormont;* Carruthers, John Hetherton, *Denbie;* Carruthers, John, *Breckonhill;* Carruthers, William, *Stenrieshill;* Carruthers, George, *younger*, Stenrieshill; Clark, John Gilchrist, *Speddock;* Clark, *Sir* George, *Pennycuick*, Baronet; Collow, Gilbert, *Auchenchain;* Connell, James, *Conheath;* Copland, *Reverend* John, *Minnygap;* Corrie, Thomas, *Steilston;* Corrie, Hugh, *younger*, Steilston; Cruickshanks, Richard Lyon, *Broomhill;* Currie, Samuel, *Craigshields;* Dalkeith, *the Right Honourable* William Henry Walter *Earl of;* Dalziell, David B , *Glenae;* Dickson, John Edgar, *Elshieshields;* Dickson, *Lieutenant-Colonel* John Pasley, *Mount Annan;* Dobie, William, *Kirkbank;* Douglas, *Lord* William Robert Keith, *Upper Kirkton;* Douglas, Robert Johnston, *Lockerbie;* Drumlanrig, *the Right Honourable* Archibald William Douglas, *Viscount;* Edgar, William, *Kirkland;* Elliott, William Scott, *Arkleton;* Ewart, Robert, *Sailfoot;* Furgusson, Robert Cutler, *Craigdarrock;* Furgusson, Robert Don Gillon, *Isle;* Forbes, William, *Callendar;* Fraser, William, *Glenmaid;* Gladstone, Thomas Stewart, *Capenoch;* Graham, *Colonel* William, *Mossknow;* Graham, Nichol Graham, *Jarbruck;* Graham, George, *Shaw;* Graham, John, *younger*, Shaw; Graham, William Richard, *Blaatwood;* Grierson, *Sir* Alexander William Lag, *Baronet;* Grierson, James, *Dalgonar;* Gordon, William, *Castlehill;* Hairstens, James, *Acreheads;* Halbert, John Potts, *Rosehall;*

Rosehall; Heron, James, *Duncow;* Hewatson, John, *Grennan;* Hewetson, Robert, *Swyre;* Hunter, *Reverend* David, *Killylung;* Hunter, John, *Burnhead;* Irving, *Reverend* John, *Bonshaw;* Irving, John, *Middlebietown;* Jackson, John, *Amissfield;* Jardine, *Sir* William, *Applegarth*, Baronet; Jardine, Alexander, *younger*, Applegarth; Jardine, David, *Balgray;* Jardine, Andrew, *Laurick Castle;* Jardine, William Murray, *Granton;* Johnstone, John James Hope, *Annandale;* Johnstone, Captain William Hope, *Dunreggan;* Johnstone *Honourable* Henry Butler, *Corehead;* Johnston, *Colonel* Thomas Henry, *Carusalloch;* Johnston, *Admiral* Charles James, *Cowhill;* Johnston, George, *younger*, Cowhill; Johnston, Michael, *Bodesbeck;* Johnston, James, *younger*, Bodesbeck; Johnston, Peter, *Greskine;* Johnston, Andrew, *Halleaths;* Johnston, James, *Grange;* Johnston, Adam, *Rosebank;* Kennedy, John, *Kirkland;* Kennedy, Robert, *Dalmakerran;* Lamb, Charles J Cooms; Laidlaw, Robert, *Johnston;* Lawrie, John Minet, *Maxwelton;* Leny, James Macalpine, *Dalswinton;* Lyon, John, *Kirkmichael;* Lyon, George, *Dalruskin;* Mackenzie, Edward, *Newbie;* Malcolm, William Elphinstone, *Burnfoot;* Maitland, Lauderdale, *Eccles;* Martin, William, *Dardarrock;* Maxwell, *Sir* John Heron, *Springkell*, Baronet; Maxwell, William Constable, *Nithsdale;* Maxwell, Henry Constable, *Milnhead;* Maxwell, William, *Carruchan;* Maxwell, Alexander Harley, *Portrock;* Maxwell, John Harley, *younger*, Portrock; Maxwell, *Colonel* Christopher, *Gretna;* Maxwell, Wellwood, *Munches;* Maxwell, Alexander, *Glengaber;* Maxwell, Francis, *Gribton;* Maxwell, Francis, *Gribton;* Maxwell, George, *Broomholm;* Moffat, Samuel, *Auchenhasnane;* Moffat, *Doctor* Alexander Logan, *Sundaywell;* Moffat, John, *Preston House;* Moffat, Alexander, *Lochurr;* Morrine, John, *Carzield;* Morrine, John, *younger*, Carzield; Murray, William, *Henderland;* Murray, John Dalrymple, *Murraythwaite;* Murray, John, *younger*, Murraythwaite; Mundell, Peter, *Bogrie;* M'Donald, William Bell, *Rammerscales;* M'Kennell, John, *M'Murdieston;* M'Kennell, James Bairden Affleck, *younger*, M'Murdieston; M'Minn, James, *Esbie;* M'Turk, Robert, *Hastings Hall;* Newton, James Ewan, *Whitecroft;* Paterson, Alexander, *Longbedholm;* Paterson, Robert, *Brocklehirst;* Paterson, William, *younger*, Brocklehirst; Pringle, Andrew, *Lann;* Proudfoot, James, *Craigieburn;* Rae, Matthew, *Newton;* Rogerson, William, *Wamphray;* Rogerson, David, *Boreland;* Rogerson, John, *Girthhead;* Rogerson, Samuel, *younger*, Girthhead; Rogerson, George, *Pearceby Hall;* Russell, James L , *Breconside;* Scott, William, *Raeburn;* Simpson, Thomas, *Dallawoodie;* Sharpe, *Rear-Admiral* Alexander Renton, *Hoddam;* Sharpe, William, *Knockhill;* Smith, Henry, *Nether Ingleston;* Smith, Eaglesfield, *Blackethouse;* Stewart, Charles, *Hillhead;* Stewart, James Hope, *Slodahill;* Stewart, Thomas,

younger, Slodahill; Stoddart, George Tweedie, *Holmshaw;* Stott, John, *Netherwood;* Swan, Robert, *Brae;* Swan, John, *Whitestonehill;* Threshie, Robert, *Monswall Place;* Todd, James, *Underwood;* Veitch, James, *Eliock;* Wallace, Robert, *Wallace Hall;* Walker, John, *Crawfordton;* Welsh, David, *Collin;* Wilson, Francis Johnstone, *Stroughan;* Wightman, James Seton, *Courance;* Wood, William, *Newmains;* Yorstoun, John Ewart, *Craigenvey;* Younger, William, *Craigielands;* Younger, William, *younger*, Craigielands; *the Master of the Free School at* Wallacehall *for the Time being for* Battersan, *the Chamberlain or Baron Baillie of* Eskdale *for the Time being, the Chamberlain or Baron Baillie of* Drumlanrig *for the Time being, the Chamberlain for the Marquis of* Queensberry *for the Time being, the Chamberlain for the Earl of* Mansfield *for the Time being, the Provost of* Dumfries *for the Time being, the eldest Baillie of* Dumfries *for the Time being, the Provost of* Annan *for the Time being, the Provost of* Sanquhar *for the Time being, the Provost of* Lochmabea *for the Time being, the Sheriff Depute of* Dumfries-shire *for the Time being, the Sheriff Substitute of* Dumfries-shire *for the Time being.*

For the Shire of Wigtown.

Edward Hunter Blair *Dunskey*, George Guthrie *Appleby*, Edward James Stopford Blair *younger* Penninghame.

For the Stewartry of Kirkcudbright.

George Samuel Abercromby *Birkenbog and Netherlaw*, William Stewart Balfour *Arbigland*, James Carruthers *Craig*, John Gilchrist Clark *Speddock*, James Comrie *Gategill*, Robert Dudgeon *Cargen*, Alexander Murray Dunlop *Corsock*, John Fergusson *Kilwhanidy*, Robert Cutlar Fergusson *Orroland*, William Forbes *younger* Callandar, *Sir* William Gordon *Earlston* Baronet, William Hall *younger* Mollance, John Halliday *Mullock*, William Henry Rainsford Hannay *Kirkdale*, Henry Hilton *Fairgirth*, Robert Kirkpatrick Howat *younger* Mabie, James Irving *Barwhinnock*, *Lieutenant Colonel* George William Key *Brae and Conhuith*, Alexander M'Knight *younger* Barlochan, Andrew Clark M'Michan *Corbieton*, Thomas M'Queen, *Crofts*, Edward Mackenzie *Auchenkeoch*, Francis Maxwell *Drumpark*, George Maxwell *Glenlee*, Wellwood Maxwell *younger* Glenlee, James Clerk Maxwell *younger* Middlebie, Thomas Maxwell *Auchenfranco*, *Reverend* George Murray *Troquhain*, Horatio Granville Stewart Murray *Broughton*, James Beaumont Neilson *Queenshill*, Walter Neilson *younger* Queenshill, James Newall *Goldielie*, Follot Pennell *Milton*, *Reverend* George Robinson *younger* Almorness, Andrew Pringle Borgue, *Reverend* James Stothert *younger* Blaiket, James Welsh

Welsh *Furth-head*, *Reverend* Ninian Wight *younger* Largncan, John Wightman *younger* Breckonside, James Young *Youngfield.*

For the Shire of Ayr.

Archibald Alexander *Boydston*, William Baird *Rosemount*, Edward Hunter Blair *Dunskey*, David Boyle *younger* Shewalton, Hugh Morris Lang *Knockewart*, Charles Somerville M'Alester *younger* Kennox, James M'Cosh *Banker in* Dalry, William M'Kerrell *Hillhouse*, James Sinclair *Orangefield*, John Pettigrew Wilson *Polquhairn.*

For the Shire of Dumbarton.

Sir James Colquhoun *Luss* Baronet, *Sir* Archibald Islay Campbell *Succoth* Baronet, *Sir* George Hector Leith *Ross* Baronet, Robert Spruel Crawford Aitcheson Alexander *Airdrie*, George Buchanan *Arden*, Herbert Buchanan *younger* Arden, Andrew Buchanan *Auchintorlie*, John Buchanan *Carbeth*, Thomas Graham Buchanan, James Gray Buchanan *Ardoch*, Thomas Buchanan *younger* Ardoch, John Bartholomew *Broomhill*, William Cuninghame Bontine *Ardoch*, John Barr *Kilmahew* Alexander James Dennistoun Brown *Balloch*, John Campbell Colquhoun *Killermont*, Archibald Campbell Colquhoun *younger* Killermont, Colin Campbell *Peatoun*, John Campbell Colquhoun *Milligs*, Colin Campbell *Colgrain*, Colin Campbell *younger* Colgrain, Arthur Campbell *Condorrat*, Arthur Campbell *younger* Condorrat, William Campbell *Tillichewan*, James Campbell *younger* Tillichewan, Alexander Campbell *Barnhill*, Neil Colquhoun Campbell *younger* Barnhill, Humphrey Walter Campbell *Crosslett*, Walter Duncan, *Bogedge*, John Campbell Douglas *Mains*, Alexander Dunlop *Advocate*, Walter Dickson *Writer to the Signet*, Alexander Dennistoun *Muckcroft*, James Duncan *Auchindavie*, George Duncan *younger* Auchindavie, Thomas Duncan *Dullartur*, John Duncan *Twechar and Badenheath*, Robert Buchanan Dunlop *Drumhead*, James Donaldson *Keppoch*, James Dalrymple *Woodhead*, Alexander Dunn *Duntocher*, William Macalister Donald *Lylestone and Auchincarroch*, *Honourable* Mountstuart Elphinstone James Ewing *Strathleven*, John Orr Ewing *Arden*, John Elphinstone Fleeming *Cumbernauld*, Robert Findlay *Boturrich*, John Findlay *younger* Boturrich, John Murray Gartshore *Gartshore*, Robert Cuninghame Cuninghame Graham *Gartmore*, John Edward Geils *Dumbuck*, James Gray *Auchengeich*, John Gray *Bed Cow*, James Hozier *St. Enock's*, James Hill Kippen *Westerton*, George Wood Kinnear *Drum*, John Lennox Kincaird Lennox *Kincaird and Woodhead*, John Cuningham Leny *Gartocharn*, Robert Duncanson Mackenzie *Culdarvan*, Alexander M'Grigor *Woodilee*, Alexander Bennett M'Grigor *younger* Woodilee, Walter Macindoe *Shanaglis*,

Land Tax Commissioners Names.

Shanaglis, Walter Mackindoe *younger* Shanaglis, James Maitland *Shirva*, James Mackenzie *Waterhead*, *Major* John Orr *Dullartur*, James Richardson *Ferguston*, Alexander Smollett *Bonhill*, John Ferguson Sharpe *Orchardtown*, Alexander Graham Speirs *Culcruech*, Walter Stewart *Balloch*, William Colhoun Stirling *Law*, Samuel Stirling *Oxgang*, John Tait *Advocate*, William Wallace *Auchinvole*, George Wilson *Nethercray*, Andrew Buchanan Yuille *Darleth*.

For the Shire of Bute.

James Frederick Dudley Crichton Stuart, *Captain* Herbert Crichton Stuart *Lincoln's Inn*, Charles Villiers Stuart *Kerryniven*, *Island of Bute*, William Villiers Stuart *Lergivrechton*, *Island of Bute*, Onesiphoris Tyndal Bruce *Stralunt*, *Island of Bute*, *the Convener of the County of* Bute *for the Time being*, James A Hamilton *Kames*, James Miller Milpont, *Cumbrae*, John Muir *Foley House*, *Rothesay*.

For the Shire of Renfrew.

John Patten *Writer to the Signet* Edinburgh, Robert Rodger *Writer in* Paisley.

For the Shire of Stirling.

Thomas Livingston Fenton Livingston *Westquarter*, William Forbes *younger* Callendar, George Robertson *Cookston*, John Wilson *Dalnair*, Robert Ewing *younger* Arngomery, Charles Graham Stirling *Craigburnet*, Alexander M'Farlane *younger* Thornhill, J A Stewart Nicholson *Carnock*, John Bruce *younger* Powfoulis, John M'Farlane *Ballencleroch*, George William Graham *Mecklewood*, John Murray *younger* Touchadam, William Stirling *Keir*.

For the Shire of Linlithgow.

The Right Honourable the Earl of Buchan, *Sir* William Baillie *Polkemmet* Baronet, William Blair *Avontoun*, Archibald Bennet *Muckraw*, Robert Brown, David Carrick Robert Carrick Buchanan, *Drumpelleir*, William Baillie *younger* Polkemmet, *Honourable Lord* Cardross, James John Cadell *Grange*, William Archibald Cadell *Banton*, William Cadell *younger* Grange, James Cheyne *Woodcockdale*, Alexander Clark *Wester Inch*, Cameron *Foxhall*, James Dundas *Dundas*, George Dundas *younger* Dundas, Robert Dundas *Arniston*, *Sir* Archibald Dunbar *Northfield* Baronet, Adam Dawson *Bonnytoun*, Adam Dawson *younger* Bonnytoun, Robert Denniston *Barbachlaw*, James Denniston *Glasgow*, *Sir* William Cunningham Cavendish

Land Tax Commissioners Names.

Cavendish Dalyell *Binns* Baronet, Robert Alexander Osborne Dalyell *younger* Binns, Ilay Ferrier *Belleside*, James Fleming *Craigs*, Henry Forsyth *Redhouse*, William Forbes *Lochcote*, Alexander Gray *Knightsridge*, Patrick Gray *Middlestrath*, Andrew Gillon *Wallhouse*, William Gillespie *Torbanehill*, James Maitland Hog *Newliston*, Thomas Hog *younger* Newliston, *Rear-Admiral* Henry Hope *R. N. C. B.*, John Ferrier Hamilton *West Port*, Walter Ferrier Hamilton *younger* West Port, William Harvey *Bodville* in the County of *Carnarvon*, *the Right Honourable* John Hope *Lord Justice Clerk*, James Hope *junior* Writer to the Signet, *Sir* Archibald Hope *Craighall* Baronet, *Captain* James Hope *Carriden* R.N., *the Honourable* Charles Hope *Bridgecastle*, George William Hope *Barrister*, John David Hope *Glasgow*, *Captain the Honourable* George Hope *R.N.*, John Hope *Writer to the Signet*, James Robert Hope *Barrister*, Steuart Bayley Hare, *Handaxwood*; James Christine Hart *Drumcross*, *Captain* William Hankey *Middleton*, George Mitchell Innes *Bangour*, Charles Halkett Craigie Inglis *Westcraigs*, James John Hope Johnstone *Annandale*, David Jardine *Blackrig*, Alexander Miller *Netherhillhouse*, Robert Miller *Clarendon*, *Reverend* James Maitland *Easter Foulshiels* D. D., Alexander Marjoribanks *of* Marjoribanks, *Colonel Sir* William Alexander Maxwell *Calderwood* Baronet, Robert Scott Moncrieff *Kirkton*, *Sir* William Keith Murray *Ochtertyre* Baronet, John Mitchell *Standhill*, John Miller *Gormyre*, Robert P Newton *Drumcross*, James Ovenstone *Strathavon*, *the Honourable* Archibald Primrose, *the Honourable* Francis Ward Primrose, David Pringle *Carribber*, John Rankin *Inchcross*, John Russell *Mosside*, William Russell *Fallhouse*, James Russell *Drumbowie*, James Russell *younger* Drumbowie, Alexander Seton *Preston*, *Captain* John Stewart *East Binny*, *Major* Norman Shairp *Houston*, Thomas Shairp *younger* Houston, Stair Hathorn Stewart *Physgill*, Robert Hathorn Johnston Stewart *Champfleuric*, Peter Sawers *Craigengall*, *Captain* Alexander Shairp *R.N.*, Robert Steuart *Westwood*, Lewis Thomas Nimmo Sandilands *Couston*, William Edward Hope Vere *Craigiehall*, *the Honourable* James Hope Wallace *Featherstone Castle*, Walter Whyte *Bankhead*, Thomas Durham Weir *Boghead*, William Wilson *Dechmont*, James Waddell *Crofthead*, Henry Finlay Wilson *Fallhouse*, William Wilkie *Boghall*, Robert Warden *West Binny*, Walter Whyte *younger* Bankhead, William Macfarlane Wardrop *Bridge-house*, *the Sheriff of the Shire for the Time being*, *the Sheriff Substitute for the Time being*, *the Provost of* Linlithgow *for the Time being*.

For the Shire of Perth.

R J Rutherford Ayton *Ashintully*, James Anderson *Comrie*, Archibald Butter *younger* Fascally and Pittochry, James

Brown *Lochton*, *Reverend Doctor* James Bannerman *Abernyte*, David Carnegie *Stronvar*, *Reverend* Alexander Campbell *Eastertyre*, John Cunningham *Balgownie*, John S Chalmers *younger* Glenericht, James Nichol Constable *Balmyle and Cally*, George Constable *Soilziary*, John Livington Campbell *Achalader*, *Captain* John Drummond *Aberuchill*, *Honourable* Robert Drummond *Cromlix*, John Dundas *Manor*, John James Dalgleish *younger* Westgrange, *Reverend* Edward Place Dewar *younger* Overdurdie, John Murray Drummond *Megginche*, *Major* J Guthrie Davidson *Argaith*, David Edwards *Balruddery*, Archibald Ferguson *Dunfallandy*, Andrew Forrester *Easter Arngibbon*, James Farquharson *Invercaulde*, George Grahame *Meiklewood*, William Graham *Devonshaw*, Robert Geekie *Rosemount*, Robert Geekie *younger* Rosemount, Thomas Greig *Glencarse*, Alexander Geekie *Pitkindio*, Haggart *younger* Glendelvine, Robert Haldane *Cloan* W.S., Archibald Horne *Easter Inverchroskie and Whitefield*, William Wemyss Ker *Eastgrange*, Thomas Low *Mylnefield*, Alexander Muir Mackenzie *younger* Delvine, Robert Henry Macfarlane *Donavourd*, Charles H Drummond Moray *Abercairney*, John Marshall *Dubheads*, Peter Mailer *Cornhill*, George J Mitchell Burden *Feddae*, James Yeaman Milne *Murie*, Alexander H Milne *younger* Murie, William Murray *Henderland and Pitroddie*, James Clerk Rattray *younger* Corabbank, James Clerk Rattray *Craighall*, *Rattray*, *Lieutenant* William George Drummond Stewart *younger* Grandtully, Allan D Stewart *Strathgarry and Bunrannock*, Samuel Peter Speid *younger* Forneth, William Shedden *Lochie*, Stewart Robinson Stewart *Derculich*, William Scott *Burnside*, Peter Scott *Lochbank*, *Reverend* A Moody Stuart *Annat*, *Colonel* Thomas Montagu Steele *Evelick*, Charles Trotter *Woodhill*, David Robertson Williamson *Lawers*, James Edward Norman Graham *younger* Leitchtoun.

For the Shire of Kincardine.

The Right Honourable John *Viscount* Arbuthnott, *the Right Honourable* James Edward Cranstoun *Lord* Cranstoun, *Lieutenant General the Honourable* Hugh Arbuthnott *Hatton*, *Captain the Honourable* John Master *of* Arbuthnott, *Lieutenant Colonel the Honourable* William Arbuthnott *Harvieston*, *Sir* James Carnegie *Southesk* Baronet, *Sir* Alexander Burnett *Leys* Baronet, *Sir* John Stuart Forbes *Fettercairn* Baronet, *Sir* Alexander Ramsay *Balmain* Baronet, *Sir* William Keith Murray *Ochtertyre* Baronet, *Sir* Thomas Gladstone *Fasque* Baronet, *Sir* Alexander Bannerman *Elsick* Baronet, Robert Barclay Allardice *Wry*, James Arnott *Leithfield*, Thomas George Torry Anderson *Fawsyde*, James Horn Burnett *Tillyboy*, James Burnett Burnett *Monboddo*, John Irvine Boswell *Kingcaussie*, John Blaikie *Cove*, Alexander Crombie *Thornton*, *Lieutenant Colonel* John

Land Tax Commissioners Names.

John Campbell *Blackhall*, John Carnegie *Redhall*, Robert Duff *Fetteresso*, Patrick Davidson *Inchmarlo*, Alexander Davidson *Balnagask*, Peter Duguid *Auchlunies*, Alexander Dingwall Fordyce *Woodstone*, James Farquhar *Hallgreen*, Thomas Newman Farquhar *Jackston*, William Nathaniel Forbes *Dunnottar*, William Forbes *Castleton*, Alexander Forrest *Tullock*, John Farrel *younger* Woodburnden, James Ferguson *Altens*, Ferguson *younger* Altens, Arthur Farquhar *Elsick*, *Major* Andrew Gammell *Drumtochty*, Earnest Gammell *Portlethen*, Charles Gordon *Maryculter*, Barron Graham *Merphie*, William Forsyth Grant *Ecclesgreig*, Alexander Gibbon *Johnston*, James Gillan *Ardo*, Robert William Rickart Hepburn *Rickarton*, William Innes *Raemoir*, Alexander Innes *Raemoir*, David Johnston *Redmyre*, James John Kinloch *Kair*, Alexander John Kinloch *Park*, Henry Lumsden *Tilwhilly*, Anthony Mactier *Durris*, Alexander Walker Mactier *younger* Durris, James Boyne M'Combie *Jellybrands*, William David Morice *Tullos*, *Major* William M'Inroy *the Burn*, John Michell *Glassel*, John Miller *Drumlittrie*, James Dyce Nicol *Badentoy*, Alexander Ogston *Ardo*, William Adam Orr *Bridgeton*, Alexander Porteous *Lauriston*, William Burnett Ramsay *Banchory Lodge*, *Captain* Thomas Ramsay *Caldhame*, Hercules James Robertson *Liferenter* Benholm, Horation Ross *Netherby*, David Scott *Liferenter* Brotherton, James Robert Scott *Fiar* Brotherton, James Fitzmaurice Scott *Commieston*, George Thomas Straton *Kirkside*, William Stewart *Hilton*, Hercules Scott *Nether Benholm*, David Scott *Balnakittle*, George Symmers Anderson Symmers *Elrick*, Alexander Anderson Symmers *Cookney*, George Taylor *Kirktonhill*, Alexander Thomson *Banchory*, John Yeats *Kincorth*, *the Sheriff of the County*, *the Sheriff Substitute of the County*, *the Provost of the Burgh of* Inverbervie, *the eldest Baillie of the Burgh of* Inverbervie, *the Masters of Mortifications of the Guild Brethren's Hospital in* Aberdeen, *the Treasurer of Robert Gordon's Hospital in* Aberdeen.

For the Shire of Aberdeen.

Alexander Davidson *Desswood*, Robert Ledingham *Wateridgemuir*, *Reverend* William Mearns *Disblair*, Andrew Murray *Allathan*, Alexander Lunsden Shirrefs *Blairmormond*, *the Baron Baillie of the Barony of* Delgaty *for the Time being*, Henry Inglis *Commissioner for the Trustees of the late* James *Earl of* Fife.

For the Shire of Cromarty.

The Most Noble the Marquis of Stafford, George William Holmes Ross *Cromarty*, Robert Bruce Eneas Mac Leod *Cadboll*, Henry Dunning Mac Leod, John Andrew Shaw Mackenzie *Newhall*, George Gun Munro *Poyntzfield*, William Ord Mackenzie *younger* Culbo, Colin

Land Tax Commissioners Names.

Colin Lyon Mackenzie *Saint Martin's*, John Mackenzie Fraser *Braelangwell*, John Taylor *Sheriff Clerk of* Cromarty, Charles Shaw *Newhall*, Alexander Matheson *Ardross*, Hugh Mackenzie *Dundonnell*.

For the Shire of Argyll.

Francis William Clark *Ulva*, Francis William Clark *younger* Ulva, William Forlong *Erines*, Alexander Mac Donald Galbreath *Glencraig*, *Sir* Archibald Islay Campbell *Succoth* Baronet, Richard D Campbell *Jura*, *Lord* Strathallan,. Octavius Henry Smith *Acharanich*, Dugald Mac Neil Campbell *Kintarbert*, William Fraser *Skipness*, James Robertson *Auchinbreck*, *Sir* Augus Campbell *Dunstaffnage*, Alexander Crawford *Aros and Torbermory*, John Mac Neill *Ardnacross*, Alexander Mac Ewing *Sunderland*, Robert Harvey *Pennygown*, *Colonel* Thomas Hall *Killean*, *Angus*, William Hall *younger* Killean, John Mac Arthur *Ardmeanoch*, Duncan Mac Iver Campbell *Lochgair*, Gascone *Craignish*, *Doctor* Nicol *Ardmarnock* James Hunter *younger* Hafton, F C S Gascoigne.

For the Shire of Fife.

John Allan *Halcroft*, Alexander Adamson *Callange*, George Anderson *younger* Luscar, William Anderson *Glentarkie*, James Aitken *St. Margaret Stone*, *Doctor* Adamson *Priory Lands*, *St. Andrew's*, William Pulteney Adam *younger* Blair Adam, David Aitken *Portioner* Southfod, James Aitken *Portioner* Southfod, Andrew Buchanan *Blair*, James Bogie *Balbie*, Arthur Barclay *Magask*, Robert Brown *New Grange*, George Brown *younger* New Grange, Robert Bethune *Nydie*, David Brown *Barns*, Alexander Bogie *Balass*, *Lieutenant* David Brigg *Straithairly*, *Sir* John Bethune *Kilconquhar* Baronet, William Baird *Elie*, *Captain* Charles Ramsay Drinkwater Bethune *Balfour*, William Blyth *Leckiebank*, Alexander John Beatson *Ross-end*, *Reverend* John Bruce *Nether Beath*, Michael Benny *Over Inzievar*, David Burt *Arngask*, Erskine Beveridge *Brucefield*, Hugh Francis Clark Cleghorn *younger* Stravithy, Andrew Coventry *Pittillock*, William Briggs Constable *Blair*, Andrew Colville *Barnhill*, James Cheyne *younger* Kilmaron, James Christie *younger* Dune, George Cheape *Wellfield*, Robert Dundas *younger* Largo, Robert Davidson *Bogie*, *Captain* William Heriot Maitland Dougall *Scotscraig*, *Lieutenant Colonel* Melville Dalyell *Lingo*, William Ogilvy Dalgleish *younger* Woodburn, James Grant Duff *Balbougie*, John James Dalgleish *younger* Dalbeith, Adam Duncan *Naughton*, *Sir* Thomas Erskine *Cambo* Baronet, Francis Robert St. Clair Erskine *commonly called* Lord Loughborough, William Fraser *Hillside*, William Bonar Gilmour *younger* Pitlocchie, Andrew Gulland *Carskerdo*, Charles Gulland *Writer* Falkland,

Land Tax Commissioners Names.

Falkland, Thomas Gourlay *Craigrothie*, James Goodall *Rennyhill*, David Greenhill *Greenmount*, Alexander Hill *Stonywynd*, John David Buchannan Hay *younger* Norton, *General* Douglas Mercer Henderson *Fordel*, *Captain* George William Mercer Henderson *younger* Fordel, William Hunt *Navity*, James Hunt *younger* Navity, James Alexander Hunt *Baldridge*, Alexander Ireland *Bannity*, Walter Foggo Ireland *Spalding*, John Cornelius Halkett Craigie Inglis *younger* Dumbarnie, George Johnston *younger* Lathrisk, James Keyden *Pittimcarty*, John Boyd Kinnear *younger* Kinloch, William Alexander Laurie *Ross-end*, William Lindesay Lumsdaine *younger* Lathallan, *Sir* Coutts Trotter Lindsay *Baronet*, *younger*, Balcarris, David Landale *Pittauchope*, Andrew Landale *younger* Woodbank, David C Lindsay *younger* Lochton, Edwin Sandys Lumsden *younger* Innergellie, Andrew Murray *Conland*, *the Honourable* Alexander Leslie Melville *Viscount* Balgonie, William Murray *Kinkell*, William Morgan *Milton*, William Hobson Mowbray *Otterslone*, David Melldrum *younger* Kincaple, Andrew Nicol *Bonnytown*, Patrick Oliphant *Over Kinneddar*, William Pagan *Earlshall's Radernie*, George Hair Pagan *younger* Earlshall's Radernie, James Russell *Priory Lands*, *St. Andrew's*, John Fowler Reoch *Gilmerton*, Andrew Rentoul *Lahill*, William Ross *Greenside*, William Reddie *Redhouse*, *Major* Alexander Rose *Whitehill*, Henry Lawrie Scott *Lacesston*, James Stenhouse *younger* Northfod, John Scott *Wester Cash*, John Sligo *Oakley*, Colin Symers *Kingskettle*, Moncreiff Patrick George Kene *younger* Hallyards, William Swan *Prestonhall*, William Smith *Priory Lands*, *St. Andrew's*, James Henry Stark *younger* Teasses, George Simson *younger* Letham, Robert Tullis *Grange*, John Thom *younger* Catochil, John Watson *Halbeath*, Adam Low Wardlaw *Portioner* Stevenson's Beath, John Wallace *Newtonhall*, James Wright *Halfield*, James Hay Erskine Wemyss *younger* Torrie and Wemyss, Walter Walker *younger* Kingash, James Balfour Wemyss *younger* Wemysshall, Robert Walter Wood *Grangehill*, William Young *Grange*, Harry Young *Cleish*, Joseph Young *Green-mount*.

For the Shire of Kinross.

Arthur Hay Barclay *Paris*, Andrew Murray *Conland*, *Admiral Sir* Charles Adam *Blair Adam* K. C. B., William Patrick Adam *younger* Blair Adam, Harry Young *Cleish*, James Steedman *Fruix*, James Steedman *younger* Fruix, David Scott *Auchtenny*, Lawrence Oliphant *Middlerig*, *the Viscount* Dupplin, William Wilson *Hatchbank*, Henry Flockhart *Annafreich*, William Reid *East Bank*, John Reid *younger* East Bank, Thomas Stocks Beveridge *Carsegour*, John Horn *Thornanean*, *Reverend* John Gardiner Beveridge *Tillyochie*, Thomas Spouart *Bellfield*, James Dempster *Wester Tillyochie*, William

 Dempster,

Dempster *younger* Wester Tillyochie, Andrew Beveridge *Wester Balado*, Thomas Beveridge *Easter Balado*, James Beveridge *younger* Easter Balado, John Henderson *Turfhills*, George Henderson *younger* Turfhills, *Sir* Graham Graham Montgomery *Kinross and Burleigh* Baronet, John Rutherford Greig *Lethangie*, John Rutherford Greig *younger* Lethangie, David Syme *Warrock*, William Bethune *Craigon*, John Brown *Finderley*, James Robertson *Touchie*, James Hutton *Waulkmill*, James Hutton *younger* Waulkmill, Andrew Reddie *Netherhall*, *Reverend* George Coventry *Shanwell*, George Andrew Coventry *younger* Shanwell, James Neilson Palmer *Hilton*, James Neilson Palmer *younger* Hilton, John Waldie *Craigon*, James Waldie *younger* Craigon, John Henry Belfrage *Colliston*, Patrick George Skene *Hallyards*, Moncrieff Skene *younger* Hallyards, James Simpson *Mawcarse*, Charles Stein *Hattonburn*, James Cunsdaine Wilson *Orwell*, George Arnott Walker Arnott *Arlary*, David Walker Arnott *younger* Arlary, David Greig *Tillierye*, John Greig *younger* Tillierye, James Hogg *Pittendreich*, James Walker *Ledlation*, John Beveridge *Kinniston*, Bruce Arnott, John M'Dougal *Findaty*, *The Reverend Sir* Henry Wellwood Moncrieff *Tullibole* Baronet, James Kerr *Maw Mill*, Alexander Forfar *Little Leggie*.

For the Shire of Forfar.

The Honourable William Maule Maule *Fearn and Maulesden*, *Sir* James Carnegie *Southesk* Baronet, *Sir* Alexander Ramsay *Balmain* Baronet, Edward Baxter *Kincaldrum*, William Baxter *Balgavies*, William Edward Baxter *younger* Kincaldrum, *Major* Charles Brown Constable *Wallace Craigie*, Patrick Alexander Watson Carnegy *Lour and Turin*, John Lindsay Carnegie *younger* Boysack, William Cruickshank *Langley Park*, David Dickson *Clocksbriggs*, William Henry Kennedy Erskine *Dun*, David Edward *Balruddery*, William Forrest *younger* Easter Ogil, David Fyffe *younger* Smithfield, Richard Gardner *Dudhope*, William Gray *Carse*, Thomas Mac Pherson Bruce Gardyne *Middleton*, George Hawkins *younger* Dunnichen, George Clayhills Henderson *younger* Carlingwell, David Hill *Cotton of Craig*, William Taylor Blair Imrie *Lunan*, Robert Johnston *Denfield*, Patrick Kerr *Drumgeith*, Christopher Webster Kerr *younger* Wester Meathie, David Lyall *Gallery*, James Mitchell *Affleck*, John Nicol *younger* Kinclune, James Neish *Laws and Omachie*, Reginald Howard, Alexander Ogilvy *younger* Baldovan, John Ogilvy *younger* Inshewan, James Alexander Pierson *Guynd*, Pattullo *Longhaugh*, George Robertson *Cookston*, Thomas Frederick Scrymseour Fothringham *Pourie and Fothringham*, George Scott *Renmure*, Thomas Renny Tailyour *Borrowfield*, Henry Scrymgeour Wedderburn *younger* Wedderburn, *Captain* William Baird Young *younger* Ascreavie.

For

Land Tax Commissioners Names.

For the Shire of Banff.

The Viscount Reidhaven, Henry Lumsden *Auchindoriand and Clood*, William James Harvey *Carnousie*, John Harvey *younger* Carnousie, John Forbes *Haddo*, Murdock Forbes *younger* Haddo, George Abercomby Young Leslie *Kinmore*, Robert Simpson *Colairdy and Balnoon*, Patrick B Simpson *younger* Colairdy, John Gordon *Avichy and Mayen*, William Robert Gordon *Mains of Tolle*, Hay M'Douall Grant *Arndilly*, George Petrie Hay *Edintore*, James Cumine *Rattray*, James Morrison *Culvie*, Thomas Gilgean Rose Innes *Netherdale*, Robert Arbuthnot *Invernethie*, Hans George Leslie *younger* Punlugas, Archibald Gordon *Factor for* William Gordon Campbell, William Coutts *Solicitor* Banff, John Forbes *Solicitor in* Portsoy, Anthony Adrian Blaikie *Advocate* Aberdeen, John Forsyth *Fife Keith*, Alexander Milne *Blairshumock*, Alexander Watt *Macduff*, George Bannerman *Solicitor* Banff, Robert Spottiswood Farquhar *Advocate* Aberdeen, Andrew Inglis *Writer* Edinburgh, James Will *Surgeon* Aberdeen, Robert Falconer *Solicitor* Keith, Alexander Cameron *Solicitor* Banff, Robert Walker *Leuchars House, Elgin*, William Leslie *Writer* Edinburgh, Robert Duncan *Banff*, James Moir *Overton Portsoy*, John Blaikie *Advocate* Aberdeen, Robert Gordon *Letterfoury House, the Baron Baillie of the Barony of* Rothiemay, *the Baron Baillie of the Barony of* Auchintoul, *the Baron Baillie of the Barony of* Newmill, *the Baron* Baillie *of the Barony of* Glengerrock, *the Baillie of the Burgh of Barony of* Rothiemay, *the Baillie of the Burgh of Barony of* Newmill, John Fleming *Factor for* Ballindalloch *residing at* Ballindalloch Castle, James Grant *Writer* Elgin, George Leslie *Writer* Elgin, Henry Inglis *Commissioner for the Trustees of the Right Honourable* James *Earl of* Fife, John Grant *Glen Grant*, Thomas M'Pherson Grant *Writer to the Signet* Edinburgh, *the Baron Baillie of the Barony of* Mountbletton, *the Baron Baillie of* Cullen *in the Parish of* Gamrie, *the Baron Baillie of the Barony of* Doun, Alexander Craik *Petehaish, Ballindalloch*, William Coutts *Solicitor, Banff, as a Trustee of the deceased Mrs.* Elizabeth Mary Rose Innes, *on the Lands of* Netherdale.

For the Shire of Caithness.

John George Tollemache Sinclair *younger* Ulbster, James Henderson *Bilbster*, Alexander Adam *Lynegar*, William Stewart James Horne Munro *Latheron*.

For the Shire of Elgin and Forres.

William Brown *younger* Dunkinty, *Sir* George M'Pherson Grant *Ballnidalloch, Captain* David Hay *Westerton*, Alexander Smyth *Belnagieth*, William Grant *Thornhill*, William M'Killigin *Relugus*.

For

Land Tax Commissioners Names.

For the Stewartry of Orkney and Zetland.

William Balfour *Gairsay*, George Craigie Balfour *Hescamb*, William G Balfour *younger* Hescamb, James William Balfour *Lieutenant 7th Dragoon Guards*, John George Moodie Heddle *younger* Melsetter, Robert William Heddle *Melsetter*, Charles S Still *Smoogro*, George Traill *younger* Holland, Thomas Trail *Holland*, Thomas S Trail *younger* Tirlot, John Trail *younger* Woodwick, Samuel Laing *junior* Crook, Archer Fortescue *Swanbister*, Frederick Burroughes *Veira*, Robert James Hebden *Carrick*, Charles Trail *Woodwick*, Robert Scarth *Binscarth*, Edward Scollay *Norton*, Bryce M Ranken *Writer* Kirkwall, Robert Brotchie *Swannay*, *the Honourable* George William Hamilton *Viscount* Kirkwall *Lieutenant 92d Foot*, *Doctor* James S Logie *younger* Isbister, Robert Thomas Charles Scott *Melby* R. N., Frederick Dundas *Pabdale*.

For the Shire of Clackmannan.

Robert Robertson *Westgrange*, James Blair *Glenfoot*.

For the Shire of Ross.

The Most Noble the Marquis of Stafford, *Sir* Kenneth Smith Mackenzie *Baronet*, Gairloch, *Sir* James Matheson *Baronet* The Lews, James Maitland Balfour *Strathconon*, Henry James Baillie *younger* Redcastle, James Evan Baillie *Glenshiel*, Duncan M'Donnell Chisholm *Chisholm*, Arthur Forbes *Culloden*, Henry Mackenzie Fowler *Raddery*, Francis Mackenzie Gillanders *Newmore*, James Falconer Gillanders *Highfield*, William Humphrey *Bayfield*, Alexander Cockburn M'Barnet *Torridon*, Alexander Watson Mackenzie *younger* Ord, James Falconer Mackenzie *Allangrange*, Lewis Mark Mackenzie *Findon*, Alexander Matheson *Ardross*, Andrew Munro *Rockfield*, Charles Munro *younger* Fowlis, George Munro *Katewell*, John Munro *Swordale*, Fitzgerald Lockhart Ross Murray *Pitcalzean*, William Hugh Murray *Geanies*, William George Holmes Ross *Cromarty*, Henry William White *Monar*, Thomas Mackenzie *Sheriff of Ross and Cromarty*, George Cameron *Sheriff Substitute of Cromarty Dingwall*, Robert Sutherland Taylor *of Ross and Cromarty* Tain, Andrew Lothian Macdonald *Sheriff Substitute of Ross and Cromarty*, Stornoway.

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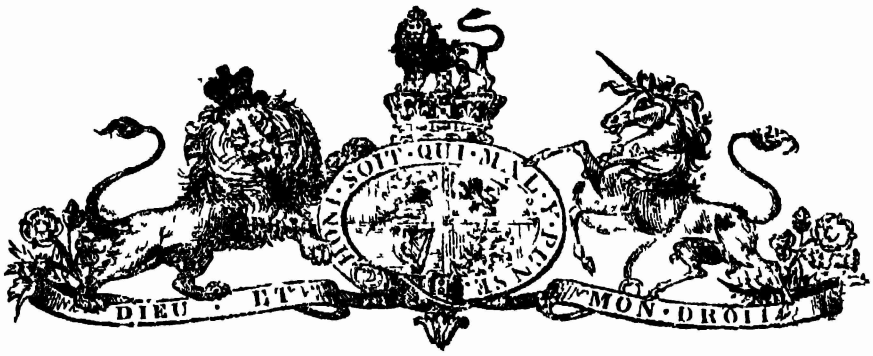

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

CAP. CXII.

An Act to consolidate and amend the Laws relating to Hackney and Stage Carriages, also Job Carriages and Horses, and Carts let for Hire, within the Police District of *Dublin* Metropolis.

[20th *August* 1853.]

WHEREAS it is expedient that the Laws relating to Hackney and Stage Carriages, and Carriages and Horses let for Hire, and Vehicles drawn by Horses or other Beasts of Burden, within the Police District of *Dublin* Metropolis as now by Law defined, should be consolidated and amended, and that the Employment and Use of such Carriages, Horses, and Vehicles as are herein-after more particularly named and described, and the Authority to license, and the Conduct of the Proprietors, Drivers, and Attendants thereof, should be placed under the Regulation and Control of the Commissioners of Police of the Police District of *Dublin* Metropolis: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From and after the First Day of *January* One thousand eight hundred and fifty-four the several Acts and Portions of Acts set forth in the Schedule (A.) to this Act annexed shall cease and determine

Repeal of Acts.

termine and shall be repealed, save so far as the same or any of them may repeal the whole or any Part of any other Act or Acts, and save as to all Rules, Orders, and Regulations, or Byelaws, heretofore made in pursuance or under the Authority of said Acts or any of them, and now remaining in force, all which Rules, Orders, Regulations, and Byelaws shall remain in force until the same shall respectively be altered or repealed under the Authority of this Act, and save as to any Duties, Penalties, or Forfeitures that shall have been incurred or become payable by virtue of the said Acts or any One of them, and as to all other Matters and Things whatsoever which shall have been done or omitted either pursuant to or in violation of the said Acts or any of them prior to the said First Day of *January* One thousand eight hundred and fifty-four.

Acts of One Commissioner valid.

II. All Acts, Matters, and Things whatsoever which the Commissioners of the Metropolitan Police are by this Act required or empowered to execute, do, or perform shall and may be legally executed, done, or performed either by both or by One only of the said Commissioners, and whether both or only One of the said Commissioners shall be present on such Occasion; save and except the making or altering of any General Rules, Orders, Regulations, or Byelaws, and the altering of Licences, Duties, and of Fares of Carriages, under the Provisions herein-after stated, in all which Acts both Commissioners must concur.

After June 1, 1854, Licences granted under 37 G. 3. c. 58., &c. to be null and void, save as to those granted for 1854.

III. From and after the First Day of *June* One thousand eight hundred and fifty-four, all Licences theretofore granted to Persons under the Provisions of an Act passed in the Thirty-seventh Year of the Reign of King *George* the Third, Chapter Fifty-eight, and any Act amending the same, for any of the Purposes whatsoever in respect of which Duties are herein-after imposed, shall respectively cease and determine, and be utterly null and void, save as to Licences granted to Drivers and Conductors of Hackney and other public Carriages for the Year One thousand eight hundred and fifty-four, and shall be delivered up to the said Commissioners, together with the Figure or Mark of Distinction belonging thereto: Provided always, that in every Case in which the Time shall not have expired in respect of which the Rent reserved upon any such Licence shall have been paid it shall be lawful to make a Deduction from the Amount of Duty which shall in any such Case be payable under this Act by the same Person, and such Deduction shall be in the same Proportion to the Rent previously paid for the Term of Time unexpired as such Term of Time shall bear to the whole Term for which the said Rent shall have been charged, and all Proprietors of Hackney Carriages whose Licences shall be so delivered up to the said Commissioners shall be *primâ facie* entitled to obtain a Proprietor's Licence under the Provisions of this Act.

IV. Every

IV. Every Person who shall be possessed of any Licence to keep any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or Job Horse, as in this Act described, granted under any former Act, and which Licence shall be in force on the First Day of *January* One thousand eight hundred and fifty-four, and who shall at any Time within Five Calendar Months next following the said Date apply for a new Licence under the Provisions of this Act, in lieu of such former Licence, and shall have respectively paid up the Rent reserved on such former Licence, and shall have paid all Fines and Forfeitures which may have been incurred by him under or by virtue of any former Act or Acts hereby repealed, shall be entitled, in consideration of the Fine theretofore paid on procuring such former Licence, on their First or First and further Payment of Duty in respect of such new Licence, to a Reduction in the Sum or Sums of Money to be paid equal to a Sum of Money bearing the same Proportion to the Fine paid on procuring such former Licence as the Number of Half Years remaining unexpired of the original Term by such Licence granted bears to the total Number of Half Years contained in such original Term: Provided always, that such Deduction or Deductions shall in no Case be made or allowed except when the new Licence upon which such Reduction of Duty shall be demanded shall be required for a Carriage or other Vehicle of the same Class and Description as the Carriage or other Vehicle described in the former Licence, and unless such former Licence, together with the Figure or Mark of Distinction appertaining thereto, shall be produced and delivered up to the said Commissioners, or to the Officer appointed for that Purpose, or the Non-production of same accounted for to the Satisfaction of the said Commissioners.

Reduction to present Holders of Licences upon which Fines have been paid on obtaining new Licences.

V. From and after the First Day of *January* One thousand eight hundred and fifty-four there shall be paid, as herein-after provided, in each and every Year, to the Officer duly appointed for that Purpose, for and in respect of every Licence to be granted under this Act for every Hackney Carriage, Job Carriage, Stage Carriage, Cart, and Job Horse mentioned and described in the Schedule (B.) to this Act annexed, and which shall be deemed a Part of the same, the several annual Duties or Sums of Money set down in Figures against the same respectively.

Licence Duties to be paid as in Schedule (B.)

VI. All Duties to be levied under this Act shall be paid to the Receiver for the Time being for the Police District of *Dublin* Metropolis, by all and singular the Person or Persons who shall be appointed to receive the same, at such Time or Times in each and every Year as shall be fixed and appointed by the Commissioners of Police, and shall

How Duties are to be applied.

shall be by him placed to the same Account and applied to the like Purposes as the other Public Monies of or belonging to the said Police District now received by and paid into the Hands of such Receiver.

The Duties fixed by this Act may be altered or abolished, with the Consent of the Lord Lieutenant or other Chief Governor.

VII. Provided always, That it shall and may be lawful for the said Commissioners, if they shall think proper, from Time to Time, in each and every Year, to alter and diminish or to annul and abolish all or any of the several Duties, Sum or Sums of Money, specified in the said Schedule (B.), or which shall hereafter under this Act be charged as Duties for and upon the respective Hackney and Stage Carriages, Job Carriages, Job Horses, and Carts, as described in the said Schedule, but so as that in case of any Alteration of the said Duties, whether the same be by Diminution or wholly annulling the same, or whether the same shall affect all or any One or more of the said Duties, such Alteration shall be approved of by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and that wherever any of the said Duties shall be altered a Schedule of the new Duties shall, immediately after such Alteration shall have been approved of as aforesaid, be published once in the *Dublin Gazette*, and Three Times in any of the Newspapers published in *Dublin*, within Seven Days next after the Publication of the Schedule last mentioned in the *Dublin Gazette;* and the said last-mentioned Schedule, after the Expiration of such Period of Seven Days, shall be deemed and taken to be a Part of this Act in lieu of so much of the Schedule (B.) hereunto annexed, as often as any Duties shall be altered, in the Manner herein provided.

Licence to Proprietors to be applied for by Requisition in Writing.

VIII. Before any such Licence as aforesaid shall be granted, under the Provisions of this Act, a Requisition in Writing for the required Licence, in such Form as the said Commissioners shall direct, shall be made and signed by the Proprietor or One of the Proprietors of the Carriage, Cart, or Horse in respect of which such Licence shall be applied for, or, in the Case of a Body Corporate or public Company, by a public Officer thereof; and in every such Requisition there shall be truly specified and set forth whether the Licence shall be required for a Hackney Carriage, Stage Carriage, Job Carriage, Cart, or Job Horse, and if required for a Job Carriage, whether it is intended the same shall be drawn by One or more than One Horse; and there shall be also truly specified and set forth the Christian Name and Surname of every Person who shall be a Proprietor or Part Proprietor of such Carriage or Cart, Horse or Horses, in respect of which such Licence shall be applied for, or, in the Case of a Body Corporate or public Company, the proper Title thereof, and in the Case of a Partnership the proper Firm thereof, and in every Case the Name of the Place of Residence

Residence or Office of Business of such Proprietor, Body Corporate, public Company, or Firm; and should such Licence be required for a Stage Carriage, there shall be set forth the fixed Route or Line of Way by which it is intended such Carriage shall proceed to its Destination; and such Requisition shall be left at such Office or Place as the said Commissioners shall direct, and shall be received as Evidence, and be deemed Proof of all Matters contained therein, as against the Party serving such Requisition; and in case any Person so applying shall wilfully neglect to specify truly in such Requisition any of the Particulars hereby required to be set forth therein, he shall forfeit a Sum not exceeding Forty Shillings; and it shall be lawful for the said Commissioners to revoke any Licence issued on a false Requisition: Provided always, that nothing herein shall extend to subject any Cart to a Licence on account of its being employed in bringing Hay, Straw, Corn, Vegetables, or Potatoes to Market, or Manure from Town.

Not to apply to certain Carts.

IX. Within Ten Days after such Requisition shall have been left at such Office or Place as aforesaid the said Commissioners, unless, in pursuance of the Powers by this Act vested in them in that Behalf, they reject such Application, shall endorse or cause to be endorsed upon such Requisition their Approval of the Application thereby made; and upon Payment of the Amount of Duty chargeable for such Licence the Person applying for such Licence shall be entitled to receive the same from the proper Officer authorized in that Behalf, without further Fee, Reward, or Gratuity, except the Cost of the *Dublin* Plate, to be used in the Case of any Carriage or Cart, or Horse, as herein-after mentioned; and no Licence shall in any Case be issued until the Requisition so endorsed by the Commissioners or other Officer acting on their Behalf shall have been first filed in such Office or Place as the said Commissioners shall appoint.

Approval of Commissioners to be endorsed on the Requisition, and Duty paid before Issue of Licence.

X. The said Commissioners shall and may grant Licences, under their Hands, upon the Terms and Conditions and in the Manner and Form herein-after mentioned, to keep, ply, use, or let to Hire any Hackney Carriage, Stage Carriage, Job Carriage, Cart, or Job Horse, within the Limits of this Act; and every such Licence shall take Effect from the Date thereof, and shall continue in force so long as the annual Duty payable thereupon under the Provisions of this Act, to be computed from the First Day of *January* of each Year, shall be paid in manner as herein directed, or until the same shall be voluntarily surrendered by the Party named therein, or otherwise be determined or revoked, under the Provisions of this Act; and every such Payment of Duty shall be made at an Office provided for the Purpose by the said Commissioners, in One annual Payment or in Two equal half-yearly

Commissioners to grant Licences to Proprietors.

Instalments, at a Time or Times or within a Period or Periods to be specified in such Licence as and for such Payment; and such Payment or Payments of the said annual Duty in respect of the Carriage, Cart, or Horse described in the said Licence shall be certified by the Officer duly appointed for that Purpose, whose Certificate thereof shall be received as sufficient Evidence of the Existence or Continuance in force of said Licence: Provided always, that in regard of any such Carriage it shall be lawful for the said Commissioners, if they shall think proper, to refuse to grant any such Licence, or to revoke any such Licence which may have been theretofore granted, in case it shall appear to the said Commissioners, upon Inspection or otherwise, that the Carriage, in respect of which such Licence shall be applied for or granted, or any Horse or Harness used with any such Carriage, is unserviceable or unsafe, or otherwise unfit for public Accommodation or Use, or that the Person applying for or in possession of any Licence is an unfit Person to hold the same by reason of his having been convicted of any Theft or Felony, or of his having been convicted of any Assault, or of Drunkenness, or of any Breach of the Provisions of this Act, or of the Rules, Orders, or Byelaws made in pursuance thereof; but in all such Cases of Refusal or Revocation the said Commissioners shall endorse upon or annex in Writing to such Licence or the Requisition therefor the Grounds for such Refusal or Revocation: Provided also, that a Licence shall not on any Account be granted to any Person under the Age of Eighteen Years, otherwise than jointly with some Person of full Age who shall be appointed to act as Trustee, Executor, Guardian, or Administrator of the Will or Personal Estate of a Proprietor dying while licensed, and in any such Case the Trustee, Executor, Guardian, or Administrator named in the Licence shall, during the Minority of any Person or Persons named in such Licence with him, be accountable in all respects as if Proprietor of such Carriage, Cart, or Horse: Provided also, that there shall be obtained a separate and distinct Licence for using or letting to Hire every Hackney Carriage, Job Carriage, Stage Carriage, Job Horse, and Cart; but no Licence so obtained shall authorize the Use of any such Carriage or Cart in any Manner contrary to the Import of the Licence appertaining to such Carriage or Cart within the Meaning of this Act: Provided also, that in every Case in which a Licence is to be obtained the proper Duty in respect of the Carriage, Cart, or Horse, to be described therein, shall be first paid, as herein required, and shall be paid in every Year thenceforward, while in force, according to the General Regulations which the said Commissioners of Police shall require to be observed, and which they are by this Act empowered to make for the Purpose, and to prescribe in each Licence: Provided also, that every Licence to be issued under this Act shall be deemed

Commissioners may refuse or revoke Licences.

to

to be an Authority only to the Person or Persons named therein, but that on the Transfer by Sale or otherwise of the Property or Ownership in any Carriage, other than a Hackney Carriage, or in any Job Horse, or Cart, for which a Licence shall be granted, or on the Admission of any Person as a Partner in the Ownership of any such Carriage, Horse, or Cart, it shall be lawful for the said Commissioners to grant, in lieu of such Licence, to any Person or Persons who shall be named in any Requisition to be addressed to them for the Purpose, a Licence to the like Effect; and that whenever it shall be agreed upon to sell or assign any licensed Hackney Carriage, or to give any Person a Share in the Ownership thereof, a Requisition for a Licence, according to such Agreement or Determination, shall be first sent to the said Commissioners, and if they shall consider the Person so proposed as Purchaser, Assignee, or Partner to be a fit Person to be licensed as a Proprietor of a Hackney Carriage, having regard to the Limitations herein made for the Purpose of preventing improper Persons from obtaining Licences, it shall then, but not otherwise, be lawful to grant, in lieu of the Licence for such Carriage then in force, a Licence to the Person or Persons named in the said Requisition; and in every such Case as aforesaid in which the Duty according to any such Licence shall have been paid for the Year or Period then present, the new Licence shall be granted without Payment of any further Duty for such Year or Period: Provided also, that in all Cases it shall be sufficient in any Proceedings under this Act to name the Proprietor or Proprietors actually licensed at the Time, and on Proof thereof such Proceedings shall extend to and include every Person concerned in the Ownership of any Carriage, Cart, or Horse, in the Use, hiring, or plying of which any Offence or Injury shall be committed.

Particulars to be specified in each Licence.

XI. There shall be specified in every such Licence to be granted as aforesaid the following Particulars, or such of them as said Commissioners shall think proper; that is to say, the true Christian Name and Surname of every Person who shall be Proprietor or Part Proprietor of the Carriage, Cart, or Horse in respect of which such Licence shall be granted, or who shall be concerned, either solely, or in Partnership with any other Person, in the keeping, using, or in any way employing such Carriage, Cart, or Horse, except in the Case of a Body Corporate or public Company when it shall be sufficient to name the public Officer thereof, also the Name of the Place or Residence or Office of Business of such Proprietor, with a correct Reference thereto, and the Number and descriptive Words painted or marked on the "*Dublin* Plate" to be delivered with such Licence, and in the Case of every Stage Carriage the Place within the Limits

Limits of this Act from which it shall first proceed on each Journey, together with the Place to which every such Stage Carriage shall so proceed, and the Route to the Destination thereof, also the greatest Number of Passengers or Persons to be conveyed by such Stage Carriage, distinguishing (when the same is intended to convey Passengers both inside and outside) the Number to be carried outside from the Number to be carried in the Inside of such Carriage; and in every Licence there shall be specified a Period or Periods of Time, to be fixed by the said Commissioners, within which Payment of Duty shall be made, as herein-before required; and every Licence shall bear Date on the Day and Year during which the same shall be granted, and shall be produced to the said Commissioners at all Time and Times, and from Time to Time, as the same shall be required or ordered by the said Commissioners to be produced.

Entries of all Licences to be made in a Book to be kept in the Office of the Commissioners, and certified Extracts to be Evidence in all Proceedings for Penalties or otherwise.

XII. The Particulars of every Licence which shall be granted under any of the Provisions of this Act, and of all Endorsements thereupon, shall be entered, in such Manner and Form as the said Commissioners of Police shall direct, in a Book or Books to be kept at the Office of said Commissioners; and in all Courts, and before any Justice, and upon all Occasions whatsoever, an Extract from or a Copy of any of the Entries made or contained in such Book or Books, certified under the Hand of the principal Officer in charge thereof, in Presence of the Person who shall produce and verify the same, shall be received as Evidence and be deemed to be sufficient Proof of all Matters and Things registered and contained in any such Book relating to any such Licence as aforesaid, without requiring the Production of any such Book, or of the original Licence, or of any Requisition, Notice, or other Document upon which any such Entries may be founded, and without any further Proof than the Production of the certified Extract or Copy aforesaid.

Penalty on Persons procuring Licences in a fictitious Name.

XIII. If any Person, for the Purpose of procuring any Licence under any of the Provisions of this Act, shall use or employ any false or fictitious Name or Place of Abode, or other false or fictitious Description of any Person or supposed Person, or shall wilfully or knowingly insert or cause to be inserted in any Requisition for any such Licence, or in any such Licence, any false or fictitious Name or Place of Abode, or other false or fictitious Description of any Person or supposed Person, or shall wilfully or knowingly insert or cause to be inserted in any such Requisition or in any such Licence as aforesaid the Name of any Person as being a Proprietor or Part Proprietor of any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or Job Horse, who shall not at the Time of the Application for such Licence be in fact such Proprietor or Part Proprietor thereof respectively, the Person

Person so offending shall be guilty of a Misdemeanor, and being convicted thereof he shall forfeit such Sum not exceeding Forty Shillings, or suffer an Imprisonment in the Common Gaol or House of Correction for such Term of Time not exceeding Two Months, and either with or without Hard Labour, as the Court shall think fit and adjudge; and the Licence shall be revoked.

Notice to be given of Change of Place named in Licence, and Change to be endorsed.

XIV. As often as the Place named in any Licence to be granted under this Act as the Place of Residence or Office of Business of such Proprietor or Proprietors as aforesaid shall be changed, the Proprietor or One of the Proprietors thereby licensed shall, within Four Days next after such Change, give Notice thereof in Writing, signed by him, to the said Commissioners, and to be delivered at the Office which shall be appointed by them as the Place at which Licences shall be issued; and in such Notice there shall be specified the new Place of Residence or Office of Business of such Proprietor or Proprietors, and such Proprietor shall at the same Time produce such Licence at the said Office, whereupon an Officer duly authorized thereto shall endorse thereon and sign a Memorandum specifying the Particulars of such Change, and in the Case of every Stage Carriage shall in like Manner notify for Endorsement any Change required to be made in the Route of such Carriage to the Destination named therein; and if any Person named in any such Licence as the Proprietor or One of the Proprietors of any such Carriage or other Property as aforesaid shall neglect or omit to give Notice of any such Change, or to produce such Licence, in order that such Memorandum as aforesaid may be endorsed thereon, within the Time and in the Manner herein limited, he shall forfeit a Sum not exceeding Forty Shillings; and if any of the Particulars entered or endorsed upon any such Licence, in pursuance of the Directions of this Act, shall be erased or otherwise defaced, every such Licence shall be wholly void and of none Effect.

Penalty for Neglect, 40*s*.

Commissioners to issue Plates with Licences.

XV. The said Commissioners shall, at the Time of granting a Licence for any such Carriage, Cart, or Job Horse, deliver to the Person or Persons applying for such Licence a numbered Plate, upon which there shall be painted or marked, in such Manner as the said Commissioners shall direct, a Number corresponding with the Number which shall be inserted in such Licence, together with such Letter, Word, or other Device or Devices (if any) as the said Commissioners shall think fit to cause to be painted or marked thereon according to the Nature of the Licence granted; and such Plate shall be known and distinguished from all other Plates, Labels, and Marks required by this Act, or which the said Commissioners are hereby authorized to require, by the Name of the *Dublin* Plate.

A Fee of 1s. to be paid for every Dublin Plate.

XVI. There shall be charged upon and in respect of every such Plate to be issued under the Authority of this Act a Sum of One Shilling, to be paid to the Officer duly appointed to issue such Plate, and to be applied by the Receiver of the *Dublin* Metropolitan Police, after Payment of the Expense of such Plate, to the Funds of the Police Establishment.

Plates to be delivered up on Expiration of Licences.

XVII. Whenever any Licence granted under this Act with which a *Dublin* Plate is hereby directed to be delivered shall be revoked by the said Commissioners, or whenever the Amount of Duty payable in respect thereof shall not be duly paid at the Time or within the Period as herein-before required, the Licence so revoked or in respect of which the Duty shall not have been paid as aforesaid, and the *Dublin* Plate corresponding to the Number mentioned therein, shall be delivered up to the said Commissioners; and every Person in whose Possession the Carriage, Cart, or Horse specified in any such Licence shall be who shall neglect or refuse so to deliver up such Plate within Three Days after the Revocation of such Licence, or the Expiration of the Time or Times, Period or Periods in any Year, fixed for the Payment of the Duty in respect thereof, as aforesaid, shall forfeit a Sum not exceeding Forty Shillings.

New Dublin Plates to be delivered in lieu of those defaced or lost.

XVIII. Whenever the Number of any *Dublin* Plate shall become obliterated or defaced, so that the same shall not be distinctly visible and legible, and also whenever any such Plate shall be proved to the Satisfaction of the said Commissioners to have been lost or mislaid, the Person to whom the Licence relating to any such Plate shall have been granted shall surrender and deliver up such Plate (if he shall have the same in his Possession), and shall produce such Licence to the said Commissioners or their proper Officer, for Endorsement, and such Person shall then be entitled to have a new Plate delivered to him in lieu of the Plate so delivered up, or lost or mislaid, upon the Payment of the Sum of One Shilling for each Plate, and such new Plate may bear the same or a different Number, as to the said Commissioners may seem fit; and in all Cases, in order to allow Time for the Manufacture or procuring of any *Dublin* Plate, it shall and may be lawful for the said Commissioners, in their Discretion, or their proper Officer, on the Payment of the said Sum, and according to the Exigency of the Case, to grant a printed or written Permission to the Person or Persons named in the Licence relating to such *Dublin* Plate to use or ply for Hire without a *Dublin* Plate being affixed thereto, and for such Time as the said Commissioners shall deem requisite, any Carriage, Cart, or Job Horse for which such Plate shall be required: Provided always, that if any Plate which shall have been proved

proved as aforesaid or represented to have been lost or mislaid shall afterwards be found, the same shall forthwith be delivered up to the said Commissioners or their proper Officer; and if any Person into whose Possession any such Plate as last aforesaid shall be or come shall refuse or neglect for the Space of Three Days to deliver up the same to the said Commissioners or their proper Officer, or if any Person licensed under the Authority of this Act shall use the Plate granted to him after the Number thereon shall be in any Manner obliterated, defaced, or obscured, so that the same shall not be distinctly visible and legible, he shall for every such Offence forfeit any Sum not exceeding Forty Shillings, and it shall be lawful for any Constable or Police Officer, without Warrant, to seize and take away any such Plate, in order that the same may be produced in Evidence against such Offender, or be disposed of as the said Commissioners shall direct.

Penalty for not delivering up lost Plate when found, or for using a Plate after it has been defaced, 40*s*.

XIX. It shall be lawful for any Constable or Officer of the *Dublin* Police, without any Warrant for that Purpose, to apprehend, within the Limits of this Act, the Driver or other Person plying for Hire with or having the Care of any Hackney Carriage, Job or Stage Carriage, Cart, or Job Horse, on which the Plates and Marks required under the Provisions of this Act shall not be affixed, and to convey him before any Justice; and it shall also be lawful for such Constable or Police Officer to drive or take the Carriage, Cart, or Horse not having such Plates and Marks as aforesaid, or any Carriage, Cart, or Horse which shall be subject to a Licence by virtue of this Act which shall be found plying or employed contrary to the Intent and Meaning of this Act, with the Horse or Horses harnessed to such Carriage or Cart, or drawing the same, or to cause the same to be driven or taken to some Livery Stables or other Place of Safety, and there to lodge the same until the Determination of such Justice shall be known, and the Justice before whom such Driver or other Person shall be brought shall hear and determine such Offence; and in case of a Conviction, if the Penalty inflicted, together with the Costs and Expenses, and the Expenses of taking such Carriage or Cart and Horse and Horses to and keeping the same at such Yard, Livery Stables, or other Place shall not be fully paid or discharged within Five Days after such Conviction, such Carriage or Cart and Horse or Horses, and also the Harness used therewith, shall be sold, by Order under the Hand of such Justice, and the Surplus, if any, of the Produce of such Sale shall, after deducting therefrom the said Penalty, Expenses, and Costs, and the Expenses of such Sale, be rendered to the Proprietor of such Carriage or Cart.

Drivers of Carriages, Carts, &c., without Plates, may be apprehended, and Carriages or Carts may be detained.

XX. In

Carriages having Dublin Plates to be deemed Hackney, &c., according to the Evidence of Plate.

XX. In any Complaint or other Proceeding for the Recovery of any Penalty incurred under this Act in respect of or with relation to any such Carriage or Cart, if Evidence shall be given that the Carriage or Cart in respect of which or in any Manner relating to which any such Proceeding shall be commenced or prosecuted was seen having thereon any *Dublin* Plate by this Act directed to be fixed upon such Carriage or Cart respectively, or having thereon any Plate resembling or intended to resemble any such Plate as aforesaid, such Carriage or Cart shall be deemed and taken to be a Hackney Carriage, Stage Carriage, Job Carriage, or Cart, according to the descriptive Letter, Word, or other Device or Devices appearing on such Plate, and such Evidence as aforesaid shall be received as sufficient Proof that such Carriage or Cart was kept for Use or let to Hire as such Carriage or Cart respectively, according to the Purport of the said Plate within the Meaning of this Act; and that in all such Proceedings as aforesaid the Person named or described in the Licence granted with or relating to the Number of the *Dublin* Plate fixed or placed upon such Carriage or Cart, whether such Licence shall be in force or not, shall for the Purposes of this Act be deemed to be the Proprietor of such Carriage or Cart, unless the contrary be proved.

Forgery of any Licence or Dublin Plate a Misdemeanor.

XXI. If any Person shall forge or counterfeit, or shall procure to be forged, counterfeited, or resembled, any Licence to be granted as aforesaid, or any *Dublin* Plate by this Act directed to be provided for the Purpose of being fixed upon Hackney Carriages, Job Carriages, Stage Carriages, Carts, or Job Horses, or if any Person shall wilfully fix or place, or cause or permit or suffer to be fixed or placed, upon any Carriage, Cart, or Job Horse any such forged or counterfeited Plate as aforesaid, or if any Person shall make or cause to be made, sell, or exchange or bestow, or expose to Sale or utter, any such forged or counterfeited Plate, or if any Person shall knowingly, and without any lawful Excuse, the Proof of which shall be on the Person accused, have or be possessed of any such forged or counterfeited Plate, every Person so offending, and every Person knowingly and wilfully aiding, abetting, or assisting any Person in committing any such Offence as aforesaid, shall be adjudged guilty of a Misdemeanor, and being thereof convicted shall be punished by Imprisonment in the Common Gaol or House of Correction for a Term not exceeding Two Months, and either with or without Hard Labour, as the Court shall think fit; and it shall be lawful for any Constable or Police Officer, without Warrant, to seize and take away any such Plate, in order that the same may be produced in Evidence against such Offender, or be disposed of as the said Commissioners of Police shall think proper.

XXII. Whenever,

XXII. Whenever, in the Opinion of the said Commissioners, it shall be expedient to recall any *Dublin* Plate, for the Purpose of changing the same for any other *Dublin* Plate bearing the same or a different Number, the said Commissioners shall cause Notice to be given to the Person or to any One of the Persons to whom the Licence relating to such Plate shall have been granted, signifying that the said Commissioners do thereby recall such Plate; and the Person or Persons to whom such Licence shall have been granted shall, within One Week after such Notice, deliver up such Plate, and produce the Licence relating to the same, to the said Commissioners, or to their Officer appointed to issue Licences and Plates, and also apply to the said Commissioners for a new Plate, and thereupon the said Commissioners or such Officer shall deliver to the Person so applying for the same, at the Expense of the Applicant, a new *Dublin* Plate, in lieu of the Plate so recalled; and if any new Plate issued under the Provisions of this Act shall bear a Number different from the Number mentioned in the Licence belonging thereto, the said Commissioners or such Officer as aforesaid shall endorse upon such Licence a Memorandum of the granting of such new Plate, with the Number thereof, and from thenceforth such Licence shall be deemed to relate to such new Plate, in the same Manner as if the Number thereof had been originally inserted in the Body of such Licence; and if any Person shall not, within One Week after Notice given to him in the Manner herein directed, deliver up the Plate mentioned in such Notice according to the Terms thereof, and produce the Licence relating to such Plate, and apply for a new Plate, and fix such new Plate upon his Carriage or Cart, as the Case may be, in such Place and Manner as the said Commissioners shall direct, he shall forfeit a Sum not exceeding Forty Shillings; and it shall be lawful for the said Commissioners, if they shall think proper, to revoke the Licence to which such Plate shall relate: Provided always, that if it shall appear to the said Commissioners that the Number upon such Plate so delivered up as aforesaid shall have been wilfully obliterated or rendered illegible by any other Means than by regular and proper Use and Wear thereof, it shall be lawful for the said Commissioners to refuse to deliver any Plate in lieu of the Plate so surrendered and delivered up as aforesaid, unless the Person applying for the same shall also surrender and deliver up the Licence relating to such surrendered Plate, and shall take out and pay for a new Licence relating to the Plate to be delivered in lieu thereof.

Commissioners empowered to recall Dublin Plates for the Purpose of being changed.

XXIII. Whenever the said Commissioners shall revoke any Licence granted under the Authority of this Act to the Proprietor of any Hackney Carriage, Job or Stage Carriage, Job Horse, or Cart, or the Licence

Commissioners to give Notice of Revocation of Licence.

Licence of any Driver or Conductor licensed under this Act, they shall forthwith cause a Notice of such Revocation, in such Form as they shall think fit, and signed by any One of them, to be given to the Person named in such Licence as the Person licensed, or left for him at the Place mentioned in such Licence as the Place of his Abode; and in case he shall have quitted such Place, or the same shall be a false or fictitious Place of Abode, then the said Commissioners shall cause such Notice to be posted up in some public Place at the Office appointed for the Issue of such Licences, which shall be deemed a good and sufficient Notice of such Revocation to all Intents and Purposes.

Plates may be seized where the Licence is discontinued or revoked, or where the same are used without Licence.

XXIV. In any Case where any such Licence shall have been discontinued or revoked, or where any such Licence shall have become null and void, under the Provisions of this Act, and the numbered Plate or Figure in respect of the same shall not have been delivered up to the said Commissioners or their proper Officer, or where any Hackney Carriage, Job or Stage Carriage, Horse, or Cart Plate shall have been recalled by the said Commissioners, and the same shall not have been delivered up as by Law required, and in any Case where any Hackney Carriage or other such Plate shall be in the Possession of or be used by any Person who shall not have a Licence in force relating to the same, it shall be lawful for any Constable to seize and take away any such Plate, wheresoever the same may be found, in order to deliver the same to the said Commissioners; and for the Purpose of seizing and taking away any such Plate, or any forged or counterfeit Plate, it shall be lawful for any such Constable to stop any Carriage or Horse upon which the same may be; and any Person who shall molest, obstruct, or hinder any such Constable in seizing or endeavouring to seize or take away any such Plate shall forfeit the Sum of Five Pounds; and if in any such Case where any such Plate shall be found in the Possession of any Person who shall not have a Licence in force relating to the same it shall appear to the Satisfaction of the said Commissioners that the said Plate is or was so possessed by such Person for the Purpose of being used, or that such licensed Person had parted with the same for the Purpose of being used by any other Person, contrary to the Provisions of this Act, and also in any Case where any Plate shall have been recalled as aforesaid and not delivered up, it shall be lawful for the said Commissioners, if they shall think proper, to revoke the Licence to which such Plate shall relate.

Penalty for obstructing Officer, 5*l.*

Licences may be revoked in certain Cases.

No Person to let to Hire any un-

XXV. It shall not be lawful for any Person to use or let to Hire any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or Job Horse,

Horse, at any Place within the Limits of this Act, unless such Person shall have a Licence in force for the same under the Hands or Hand of the said Commissioners or One of them, nor unless there shall be fixed on such Carriage and Cart, and upon the Harness of every such Job Horse respectively, in such Place and Manner as the said Commissioners shall in relation thereto respectively from Time to Time order and direct, the *Dublin* Plate belonging to or corresponding with every such Licence respectively, and likewise all and every such other Plates, Labels, and Marks as the said Commissioners shall think proper to be fixed, painted, or marked thereon, pursuant to the Provisions herein-after in that Behalf contained; and if any Person shall use or let to Hire, or shall be concerned, as Proprietor or Part Proprietor, in using or letting to Hire, at any Place within the Limits of this Act, any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or any Job Horse, without having a Licence in force for the same, or without having paid the annual Duty for such Licence, in manner as by this Act provided, or without having such Plate fixed as aforesaid, such Person shall forfeit as a Penalty for every such Offence a Sum not exceeding Ten Pounds for every Carriage, Cart, or Horse so used or let to Hire as aforesaid: Provided always, that nothing herein contained shall interfere with the Power herein-before given to the said Commissioners, at their Discretion, to grant a written or printed Permission to any Person to use or ply for Hire any Carriage, Cart, or Horse without a *Dublin* Plate being affixed thereto, where such Permission shall be deemed necessary by the said Commissioners: Provided also, that it shall not be necessary in any Case where any Carriage, and Horse or Horses, are used or let for Hire, that there shall be a Licence for such Carriage or for such Horse or Horses separate and distinct from each other respectively, but that One Licence shall be deemed sufficient to authorize the using and letting for Hire of any such Carriage and Horse or Horses.

licensed Carriage, &c.

Penalty on keeping for Use, or letting to Hire, any Hackney, &c. Carriage, Cart, or Job Horse, without Licence.

XXVI. The Proprietor or Driver of every Carriage licensed under the Provisions of this Act, wherein any Property whatever shall be left by any Person hiring or using the same, shall, within Twenty-four Hours next after the same shall have been so left, restore such Property, in the State in which the same shall have been found, to the Owner thereof, or if the Owner cannot be traced within said District, shall convey the Property to the Office of the said Commissioners, or if found in any Carriage usually employed in conveying Passengers to and from the Stations of the *Dublin and Kingstown* Railway outside the City of *Dublin*, thence to the Police Station nearest to the Railway Station at which such Carriage shall take up and set down Passengers, and shall in such Places respectively deposit such Property; and if any Proprietor or Driver shall make any Default herein he shall forfeit a Sum

Property left in licensed Carriages to be deposited at Police Station.

Sum not exceeding Forty Shillings, and such further Sum as shall, in the Judgment of the Justice before whom Complaint shall be made, appear to be a reasonable Compensation for such Property, if the same shall not be restored, and which Compensation shall be recoverable in like Manner as a Penalty under this Act, and be payable to the Owner of the Property detained; and when any such Property shall be found and duly deposited as aforesaid, the Officer receiving the same shall forthwith give an Acknowledgment to the Depositor, and make an Entry and Return thereof, according to the Regulations of the said Commissioners, which they are hereby required to make, for the Custody, Restoration, or Disposal of all such Property; and the Property so deposited shall be returned to the Person who shall prove Ownership to the Satisfaction of the said Commissioners, such Person previously paying all Expenses incurred, together with such Sum to the Person who shall have been actually driving the Carriage, or shall have been employed in or about it, and, having found the Property, shall deposit the same as herein directed, as with reference to the Value of the Property the said Commissioners shall award: Provided always, that if any Property so found and deposited shall not be claimed by some Person proving Ownership as aforesaid within One Year after the Date of Deposit (the Property having been advertised in such Manner as the said Commissioners may direct), such Property shall be, in default of such Claim within the Time so limited, sold or otherwise disposed of, and the Proceeds thereof paid over to the said Receiver, to be carried to the Account of Monies for defraying the Expenses of the Police Establishment of the said District of *Dublin* Metropolis, after deducting such Sum as the Commissioners may award to the Person who shall have been actually driving the Carriage, or shall have been employed in or about it, and having found the Property shall deposit the same as herein directed: Provided also, that nothing herein shall be deemed to extend to Property found in a Stage Carriage at any Place not within the Limits of this Act.

Commissioners may regulate the Route and Conduct of Persons driving Carriages, Cattle, &c. during the Hours of Divine Service.

XXVII. On the Application of the Minister or Churchwardens of any Church, Chapel, or other Place of Public Worship within the Police District of *Dublin* Metropolis to the said Commissioners, it shall be lawful for the said Commissioners to make Orders for regulating the Route and Conduct of Persons who shall drive any Carriage, Cart, or other Vehicle, within such Parish or Place, during the Hours of Divine Service on *Sunday*, *Christmas Day*, *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving; and any Orders which shall be so made shall be printed and affixed on or near the Church, Chapel, or Place of Public Worship to which the same shall refer, and in some conspicuous Places leading to and contiguous thereto, and elsewhere, as the said Commissioners shall direct;

direct; and every Breach of any such Order shall be deemed a separate Offence.

XXVIII. It shall be lawful for the said Commissioners from Time to Time and as Occasion may require to make Regulations for the Route to be observed by all Carriages, Carts, or other Vehicles, Horses, and Persons, and for preventing disorderly Conduct, Contention, Obstruction, or accidental or intentional Damage within Her Majesty's Park of the *Phœnix*, or upon the Roads, Thoroughfares, and Passages therein or thereto adjoining, and also to give Directions to the Constables of said District for keeping Order, and for preventing Obstructions of the Roads and Thoroughfares in the immediate Neighbourhood thereof, and in any Case when the said Roads or Thoroughfares may be thronged, or may be liable to be obstructed, and for preventing disorderly Conduct, Contention, Obstruction, or accidental or intentional Damage in the said Park of the *Phœnix*.

Commissioners to make Regulations for preventing Obstructions by Carriages, &c. in the Phœnix Park, &c.

XXIX. It shall be lawful for the said Commissioners from Time to Time and as Occasion shall require to make Regulations for the Route to be observed by all Carriages, Carts, or other Vehicles, or Horses and Persons, and for preventing Obstruction of the Streets and Thoroughfares within the said District, and also to give Directions to the Constables for keeping Order, and for preventing any Obstruction of the Thoroughfares in the immediate Neighbourhood of any Place or Places of public Resort, and in any Case when the Streets or Thoroughfares may be thronged or may be liable to be obstructed.

Commissioners may make Regulations for preventing Obstructions in the Streets, &c.

XXX. Proof upon Oath that a Copy of any such Regulations made by the Commissioners has been published in any daily Newspaper in the City of *Dublin*, or that such Regulations have been printed and posted in the Vicinity of any public Place to which the same shall refer, previously to the Time fixed for the Observance of same, shall be deemed sufficient Evidence of such Regulations, and of all Persons concerned having Notice thereof.

Proof of Publication of Rules to be deemed sufficient Notice to all Persons concerned.

XXXI. No Proprietor of any Stage Carriage duly licensed to carry Passengers for Hire shall be liable to any Penalty for any Deviation from the Route or Line of Route specified in his Licence which the Driver of such Stage Carriage shall make by virtue of any Regulations or Direction made or given by the said Commissioners.

Proprietors of Stage Carriages not liable to Penalties for deviating from Route.

XXXII. In every Case where any Hurt or Damage shall have been caused by the Negligence, wilful Misbehaviour, or other Misconduct of the Driver of any Carriage or Vehicle of any Kind whatsoever, or of the Person in charge thereof, or in charge of any Horse

Compensation for Hurt or Damages.

 within

within the Limits of this Act, every Person so offending shall further pay such a Sum as shall appear to the Justice to be a reasonable Compensation to the Person so aggrieved or injured, and the Evidence of such Person shall be admitted in proof of the Offence: Provided always, if the Person so aggrieved or injured shall have been the only Witness examined in proof of the Offence, such Sum so ordered as Compensation shall be paid and applied in the same Manner as a Penalty, and in default of Payment of such Penalty and of such Compensation, if ordered, together with the Costs attending such Conviction, immediately or within such Time as such Justice shall appoint, such Justice shall and may commit such Offender to the Common Gaol or House of Correction, to be there imprisoned for any Term not exceeding Two Months, unless such Penalty, together with the Costs and Compensation, if ordered, be sooner paid; and every such Offender shall and may by the Authority of this Act, with or without any Warrant, be apprehended by any Person who shall see such Offence committed, and shall be immediately conveyed or delivered to a Constable, in order to be conveyed before some Justice.

Penalty on Persons acting as Drivers, &c. without having Licence and Badge;

XXXIII. It shall not be lawful for any Person to act as Driver of any Hackney or other Carriage as aforesaid, or of any Job Horse, or as Driver or Conductor of any Stage Carriage, whether such Person shall or shall not be the Proprietor of such Carriage or Horse within the Limits of this Act, unless in each Case such Person shall have a Licence so to do, and a numbered Badge granted to him under the Authority of this Act and remaining in force; and every Person who shall act as such Driver or Conductor without such Licence and Badge, and also every Person to whom a Licence and Badge shall have been granted who shall sell or exchange, bestow or transfer, or let upon hire such Licence, or permit any other Person to use or wear such Badge, shall for every such Offence forfeit a Sum not exceeding Forty Shillings; and every Proprietor who shall knowingly suffer any Person not duly licensed under the Authority of this Act to act as Driver of any Hackney or other Carriage as aforesaid, or as Driver or as Conductor of any Stage Carriage of which he shall be the Proprietor, shall for every such Offence forfeit a Sum not exceeding Forty Shillings: Provided always, that nothing herein-before contained shall subject to any Penalty any Proprietor who shall employ any unlicensed Person to act as such Driver or Conductor as aforesaid for any Time not exceeding Twenty-four Hours, or any unlicensed Person who shall be so employed for the said Time, upon Proof being adduced by the Proprietor to the Satisfaction of the Justice before whom such Proprietor, Driver, or Conductor shall be required to attend to answer for such Offences respectively that such Employment was occasioned by unavoidable Necessity; and that every Proprietor who

and on Proprietors suffering Persons to act as Drivers or Conductors not being licensed.

Proviso as to Persons being employed temporarily.

who shall so employ such unlicensed Driver or Conductor, and every such unlicensed Driver or Conductor, shall be subject to all the Powers, Provisions, and Proceedings of and under this Act for any Act done by such Driver or Conductor during such Employment in like Manner as if such Driver or Conductor had been duly licensed.

Proprietors to be summoned to appear and produce Drivers and their Licences, &c.

XXXIV. When any Complaint, verbal or written, shall be made before any Justice against the Driver of any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or of any Job Horse or Horses, or any Person having the Care thereof or plying for Hire therewith respectively, for any Offence committed by him against any of the Provisions of this Act, such Justice shall forthwith summon the Proprietor of such Carriage, Cart, Horse or Horses, and by the said Summons require the said Proprietor personally to be and appear, and to produce such Driver or other Person so complained against, together with the Licence and Badge (if any) theretofore granted to said Driver, to answer such Complaint, and for such Purpose every Proprietor who shall obtain any Licence under this Act, and who shall permit or employ any licensed Person to act as a Driver of any such Carriage or Horse, or as a Conductor of any such Stage Carriage, shall require to be delivered to him and shall retain in his Possession the Licence of such Driver or Conductor while such Driver or Conductor shall remain in his Service; and if any such Proprietor being duly summoned shall neglect or refuse personally to appear, or to produce such Driver or other Person so complained against, together with the said Licence and Badge, according to the Exigency of such Summons, without a reasonable Excuse to be allowed by the Justice before whom he and the said Driver ought to appear according to such Summons, such Proprietor shall forfeit a Sum not exceeding Forty Shillings, and so from Time to Time as often as he shall be so summoned until such Driver or other Person so complained against shall be produced by him to answer such Complaint: Provided always, that if such Proprietor shall neglect or refuse to appear or produce such Driver or other Person so complained against, together with the said Licence and Badge, in obedience to any Summons requiring him so to do, without a reasonable Excuse to be allowed as aforesaid, it shall be lawful for such Justice to proceed to hear and determine the said Complaint in the Absence of the said Proprietor and Driver or other Person complained against, or either of them, and upon Proof of such Offence by the Oath of One or more than One credible Witness to give Judgment against such Proprietor for a Penalty not exceeding Forty Shillings, and thereupon the said Justice is required to cause a Return of the said Judgment to be made forthwith to the said Commissioners, or to a Person duly authorized by them to receive the same.

XXXV. In

Justices to determine Disputes between Proprietors and Drivers.

XXXV. In case of any Dispute between the Proprietor of any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or Job Horse kept for Use or let to Hire within the Limits of this Act, and the Driver of any such Carriage, Cart, or Horse, or any Person having the Care thereof, or plying for Hire therewith, respectively, as to any Matter relating to or connected with the Business or Employment of such Driver or Proprietor, then upon Complaint made before any Justice by such Proprietor against such Driver or other Person as aforesaid, or by such Driver or other Person as aforesaid against such Proprietor, such Justice shall inquire into and determine the same, and shall award and order such Compensation, whether the same shall be demanded by way of Wages or otherwise, to be made to either Party as to such Justice shall seem proper; and in case of Nonpayment of the Amount of the Compensation so ordered by such Justice within Seven Days after the same shall be so awarded, such Justice shall cause the same to be levied by Distress and Sale of the Goods of the Party refusing or neglecting to make Payment thereof.

Agreements between Drivers, &c. and Proprietors to be in Writing.

XXXVI. It shall not be lawful either in any Court of Law or before any Justice to enforce the Payment of any Sum of Money claimed from any Driver or Conductor by any Proprietor on account of the Earnings of any Hackney Carriage or other Carriage as aforesaid, or Stage Carriage, or by reason of any Neglect or personal Misconduct of such Driver or Conductor, unless under an Agreement in Writing which shall have been signed by such Driver or Conductor in the Presence of a competent Witness.

Proceedings with respect to Licences on quitting Service.

XXXVII. When any licensed Driver or Conductor shall leave the Service of any Proprietor, such Proprietor shall, upon Demand thereof, return to him his Licence: Provided always, that if the said Proprietor shall have any Complaint against the said Driver or Conductor, it shall be lawful for such Proprietor to retain the Licence for any Time not exceeding Two Days after the Demand thereof, and within that Time to apply to the Police Court of the District in which the said Proprietor shall dwell for a Summons against him; and the said Proprietor at the Time of applying for the Summons shall deposit the Licence with the Clerk of such Police Court or Justice; and in case any Proprietor who, upon Demand thereof, shall have refused or neglected to deliver to any Driver or Conductor his Licence, shall not within Two Days, exclusive of *Sunday*, or any Day on which the Police Court shall not sit, apply for such Summons, and deposit the Licence as aforesaid, or shall not appear to prosecute his Complaint at the Time mentioned in the Summons, it shall be lawful for such Driver or Conductor

Conductor to apply at the same Police Court, or to some Justice as aforesaid, for a Summons against such Proprietor; and upon hearing and deciding the Case the Justice, if he shall think there was no just Cause for detaining the Licence, or that there has been needless Delay on the Part of the Proprietor in bringing the Matter to a hearing, shall have Power to order the said Proprietor to pay such Compensation to the said Driver or Conductor as the said Justice shall think reasonable, and Payment of such Compensation shall be enforced in the same Manner as any Penalty may be enforced under the Provisions of this Act; and the Justice shall cause the Licence to be delivered to the said Driver or Conductor, unless any Misconduct shall be proved against him by reason whereof the Justice shall think that such Licence shall be revoked or suspended; and so long as any Proprietor shall neglect to apply for such Summons and deposit the Licence after such Demand thereof as aforesaid, any Justice may in like Manner from Time to Time order Compensation to be paid by him to the same Driver or Conductor; and no Proprietor shall, under any Pretence or by virtue of any Claim whatever, retain beyond the Time aforesaid the Licence of his Driver or Conductor.

Driver to deliver a Ticket to Hirer of Carriage.

XXXVIII. Every Driver of a Hackney Carriage within the Limits of this Act shall, on each Occasion when such Carriage shall be hired, deliver, if required, to the Hirer thereof a Card, on which shall be printed, in legible Letters and Figures, the Words "Hackney Carriage," and the Number of the *Dublin* Plate fixed on such Hackney Carriage, or such other Words or Figures as the said Commissioners of Police may direct.

Penalty on Drivers of Hackney Carriages refusing to hire, or exacting more than legal Fare.

XXXIX. If the Driver of any Hackney Carriage shall, on Tender of the legal and proper Fare, refuse to go with any Person desirous of hiring such Carriage to any Place within the Limits of this Act, or to any Place within Ten Statute Miles of the General Post Office in the City of *Dublin*, or shall, when conveying any Person for Hire, occupy more than Ten Minutes in performing the Distance of any One Mile, except by the express Desire of such Person, or in case of Accident or Obstruction, or if the Driver of any Hackney Carriage shall exact or demand for the Hire thereof more than the legal and proper Fare, the Person so offending in any Case shall forfeit for such Offence a Sum not exceeding Forty Shillings.

Hackney Carriages found in any Street to be deemed plying for Hire.

XL. Every Carriage having thereon the *Dublin* Plate required by this Act to be fixed on Hackney Carriages which shall be found standing in any Street or Place within the Limits of this Act, or within Ten Statute Miles of the General Post Office in the City of *Dublin*,

Dublin, having a Horse harnessed thereto, and being equipped for Use, shall, unless actually hired, or unless such Driver have a reasonable Excuse to be allowed by the Justice before whom the Matter shall be brought in question, be deemed to be plying for Hire, although such Hackney Carriage shall not be on any Standing or Place usually appropriated for the Purpose of Hackney Carriages standing or plying for Hire; and the Driver of every such Hackney Carriage which shall not be actually hired shall be obliged and compelled to go with any Person desirous of hiring such Hackney Carriage to any Place within the Limits of this Act, or to any Place within Ten Statute Miles of the General Post Office in the City of *Dublin;* and upon the hearing of any Complaint against the Driver of any such Hackney Carriage who shall refuse Hire on Tender of the legal Fare he shall be obliged to adduce Evidence of having been and of being actually hired at the Time of such Refusal, and in case he shall fail therein he shall forfeit a Sum not exceeding Forty Shillings.

Driver refusing Fare, Penalty 40s.

Compensation to be made to Party improperly summoned for refusing to hire.

XLI. If the Driver of any Hackney Carriage shall in civil and explicit Terms declare to any Person desirous to hire such Hackney Carriage that it is actually hired, and shall afterwards, notwithstanding such Reply, be summoned to answer for his Refusal to carry such Person in or upon the said Hackney Carriage, and shall upon the hearing of the Complaint produce sufficient Evidence to prove that such Hackney Carriage had been previously hired by an actual and *bonâ fide* Engagement for a Period of Time then to come, which Engagement could not have been fulfilled if the Carriage had been let to Hire to the Person so complaining, and it shall not appear that the said Driver used uncivil Language, or that he improperly conducted himself towards the Person complaining, or in case such Person so complaining shall not appear at the Time and Place specified in such Summons for the hearing thereof, the Justice before whom such Complaint shall be heard or such Default of Appearance shall be made shall order the Person who shall have summoned such Proprietor or Driver to make to him such Compensation for his Loss of Time in attending to make his Defence to such Complaint as such Justice shall deem reasonable, and in default of Payment thereof within Seven Days after the making of such Order shall cause the same to be levied by Distress and Sale of the Goods of the Person adjudged to owe such Compensation.

Penalty for demanding, in any Case, more than Sum agreed for.

XLII. If the Proprietor of any Hackney Carriage, or any Person usually acting for the Proprietor or the Driver of such Carriage, shall agree beforehand with any Person requiring such Carriage to accept any Sum less than the proper Rate of Fare allowed by Law, and such Proprietor, Person, or Driver shall nevertheless exact or demand subsequently

sequently for the said Carriage on such Occasion more than the Sum agreed for, the Proprietor, or if such Exaction or Demand shall be made by the Driver, then the said Driver, shall forfeit a Sum not exceeding Forty Shillings for such Offence.

Agreement to pay to Driver more than legal Fare not binding. Extra Sum so paid may be recovered.

XLIII. No Agreement whatever made with the Proprietor or Driver of any Hackney Carriage for the Payment of more than his proper Fare as fixed or limited by Law shall be binding or held to authorize any Overcharge whatsoever; and in case any Person shall be required to pay and shall pay to the Proprietor or Driver of any Hackney Carriage, whether in pursuance of an Agreement or not, any Sum exceeding the proper Fare, the Person paying the same shall be entitled, on Complaint made against such Proprietor or Driver before any Justice, to recover back the Sum paid beyond the proper Fare; and moreover such Proprietor or Driver shall forfeit, as a Penalty for such Exaction, a Sum not exceeding Forty Shillings; and in default of the Repayment thereupon of such Excess of Fare, or of Payment of the said Penalty, the Amount of such Excess and of such Penalty or of both, as the Case may be, shall be levied by Distress and Sale of the Goods of the Proprietor of such Hackney Carriage: Provided always, that if the Exaction in any such Case shall appear to have been made by a Driver he shall be responsible to the Proprietor for the Amount of the Exaction and the Penalty, which shall be recoverable from him in the Manner herein-before provided for Recovery by Proprietors of Penalties paid for Drivers.

Drivers not to charge more than Sum agreed for, when the Distance stated shall be exceeded without Direction.

XLIV. It shall and may be lawful for any Person to require the Driver of any Hackney Carriage to drive such Hackney Carriage for a stated Sum of Money a Distance, in the Discretion of the Driver, the Fare for which shall be the Worth or Value of the Sum so stated, without specifying any Place at which he is to stop; and in case the said Driver shall exceed such Distance without Authority or Direction for so doing, and shall exact or demand more than the Sum for which he was so engaged to drive, he shall forfeit a Sum not exceeding Forty Shillings for such Offence.

Deposit to be made for any Hackney Carriage kept waiting.

XLV. When any Hackney Carriage, hired and taken to any Place, shall be required to be kept there in waiting, it shall be lawful for the Driver to demand and receive a reasonable Sum as a Deposit, over and above the proper Fare for driving to such Place, which Sum so demanded and received shall be accounted for by the Driver when such Hackney Carriage shall be finally discharged; and if any such Driver shall refuse to remain in waiting on Payment of the Fare earned and the Tender of a Deposit sufficient to pay the further Fare for a specified Time of waiting, or shall after receiving a Deposit go away,

away, or permit such Hackney Carriage to be driven or taken away, without the Consent of the Person making such Deposit, before the Expiration of the Time for which the Sum so deposited shall be a sufficient Compensation, according to the Fares then by Law payable, or if any Driver, on the final Discharge of such Hackney Carriage, shall refuse to refund any Portion of such Deposit which may exceed the Fare ultimately payable, in addition to the original Fare paid upon the making of such Deposit, he shall in any of such Cases forfeit a Sum not exceeding Forty Shillings; provided always, that nothing herein contained shall be deemed an Authority to any Person to detain a Hackney Carriage beyond such Period of Time as shall be fixed by the Commissioners of Police in any Rule, Order, or Byelaw to be made under the Direction of this Act.

Carriages may ply on Sundays, and shall be then subject to all the Regulations in force.

XLVI. It shall be lawful for the Proprietor or Driver of any Hackney Carriage which shall be licensed under the Authority of this Act to stand and ply for Hire with such Carriage, and to drive the same, on the Lord's Day, any former Act or Acts to the contrary notwithstanding; and that such Proprietor or Driver who shall so stand and ply for Hire as aforesaid shall be liable and compellable to do the like Work on the Lord's Day as by this Act liable or compellable to do as such Proprietor or Driver on any other Day of the Week.

Persons refusing to pay for any Carriage or Cart, &c., or for Damage, may be committed.

XLVII. If any Person shall refuse or omit to pay the Proprietor or Driver of any Hackney Carriage, Stage Carriage, Job Carriage, Cart, or Job Horse the Sum justly due for the Hire of such Carriage, Cart, or Horse, or if any Person, either by himself or by the Negligence or Misconduct of any Person in his Employment, shall break, deface, or in any Manner injure any such Carriage or Cart, or the Harness thereof, or shall injure any Horse used with any such Carriage or Cart, or shall injure any Job Horse, in either Case the Person so offending shall, on Conviction before a Justice, forfeit such Sum as to the said Justice shall seem reasonable for any and every such Offence; and it shall be lawful for any Constable of Police, upon a Charge of any such Offence, to apprehend and hold to Bail to appear before a Justice the Person so charged; and upon Proof upon Oath before such Justice of the Nonpayment of the proper Fare, or of any Injury or Loss so suffered through the Negligence or Misconduct of such Person, the said Justice shall adjudge the Sum to be paid, and shall award reasonable Satisfaction to the Party so complaining or injured for his Fare or for the Damage suffered, with Compensation for his Loss of Time in attending to make and establish such Complaint; and if the Sum awarded shall not be thereupon paid, or if the Offender shall

shall not also pay at the same Time the Sum which shall be awarded as Satisfaction to the Owner or Driver, it shall be lawful for such Justice to commit the said Offender to Prison, there to remain for any Time not exceeding Two Calendar Months, unless the Amount of the said Fine and Satisfaction shall be sooner paid; and it shall also be lawful for such Justice, if he shall think fit, to order such Offender to be kept to Hard Labour during such Imprisonment.

Commissioners, with Consent of Recorder of the City of Dublin, may alter Fares of Hackney Carriages, by increasing or diminishing same.

XLVIII. It shall and may be lawful for the said Commissioners, from Time to Time and at all Times hereafter, as often as they shall consider it expedient so to do, to vary and alter each or any of the Rates and Fares now by Law payable for the Use of Hackney Carriages, and to fix and appoint the Rates and Fares to be taken and demanded for the Use of Hackney Carriages to be licensed under this Act, and to increase or diminish the same; provided that every such Alteration, whether by way of Increase or Diminution, shall be approved of by the Recorder of the City of *Dublin*, and shall be published in the Manner herein-before directed with respect to any Alteration which shall be made in the Duties to be taken under this Act.

Commissioners to appoint or alter Places for Carriage Stands, and limit the Number of Carriages at each.

XLIX. It shall and may be lawful for the said Commissioners to order and direct the Route of Hackney Carriages when proceeding from One Stand to another, and from Time to Time to appoint proper Places or Stations within the Limits of this Act, where Hackney Carriages, Stage Carriages, and Carts licensed for that Purpose may stand for Hire; and from Time to Time to alter any Stands or Stations, and to limit the Number of Hackney Carriages, Stage Carriages, and Carts to stand in each of such Places, and to direct and regulate the Spaces and Intervals to be left between the Carriages and Carts at such Stands and Places, and in all respects to regulate the Manner in which Carriages and Carts shall stand thereat respectively; and it shall also be lawful for the said Commissioners to inspect or cause to be inspected by such Person or Persons as they shall appoint in that Behalf all such Carriages and Carts to be licensed under this Act, and the Horses and Harness employed to draw such Carriages and Carts respectively, at such Times and Places as the said Commissioners shall for that Purpose appoint, and to that End require that all Carriages and Carts, Horses and Harness, to be inspected as aforesaid, shall be produced before them or before such Person or Persons as they shall appoint, at such Times and Places as they shall direct; and in case any Person shall refuse or neglect to obey or comply with any Order or Direction made or given by the said Commissioners in pursuance of the Powers hereby vested in them, every Person so offending shall forfeit a Sum not exceeding Forty Shillings.

Commissioners to make Rules for the Regulation of Hackney Carriages, and Conduct of Drivers, &c.

L. It shall and may be lawful for the said Commissioners from Time to Time and at all Times to make such General Rules, Orders, and Byelaws for the better ordering and regulating of all and singular the Persons, Carriages, Carts, and Horses required to be licensed under this Act as in the Judgment of the said Commissioners may be required for public Propriety, Safety, Accommodation, or Convenience, and from Time to Time to alter, vary, amend, or repeal all or any of such Rules, Orders, and Byelaws; provided that such Rules, Orders, and Byelaws, when so made or altered, shall not be repugnant to the Provisions of this Act; and it shall and may be lawful for the said Commissioners to fix and ordain therein such reasonable Penalties and Forfeitures as to them may seem fit for all Offences against and Breaches of such Rules, Orders, or Byelaws, and to subject Offenders against same to Imprisonment in the Common Gaol or House of Correction for the Breach of any such Rule, Order, or Byelaw, there to be kept (either with or without Hard Labour) for any Time not exceeding Thirty Days; and it shall and may be lawful for the said Commissioners, in their Discretion, to make void or suspend the Licence or Licences of every Offender who shall be convicted of any Offence against the same, unless the Magistrate before whom such Conviction shall be had against such Offender shall at the Time of such Conviction state in Writing on his Licence that such Punishment as he has adjudged against such Offender shall be "without Prejudice to his Licence:" Provided always, that such new Rules, Orders, and Byelaws, and every Alteration, Amendment, and Repeal of the same, shall be approved of by the Recorder of the City of *Dublin*, and that after such Rules, Orders, and Byelaws, or any Alterations, Amendment, or Repeal of the same, shall have been so made and approved of, the same shall be published in the Manner herein-before directed with respect to any Alterations which shall be made in the Duties to be paid under this Act; and all such Rules, Orders, and Byelaws, and every Alteration, Amendment, and Repeal of the same, when approved of as aforesaid, shall be good and valid, as fully and effectually, to all Intents and Purposes whatsoever, as if the same were particularly mentioned, expressed, and enacted in this present Act.

Penalty on Person acting as Driver, whether licensed or not, without Consent of Proprietor.

LI. Every Driver or Conductor authorized by any Proprietor to act as Driver of any Hackney Carriage as aforesaid, or as Driver or Conductor of any Stage Carriage, who shall suffer any other Person to act as Driver of such Hackney or other Carriage, or as Driver or Conductor of such Stage Carriage, without the Consent of the Proprietor thereof, and also every Person, whether duly licensed or not, who shall act as Driver or as Conductor of any such Carriage without the Consent of the Proprietor thereof, shall forfeit the Sum of Forty Shillings;

Shillings; and every Driver or Conductor charged with such Offence who, when required by any Justice so to do, shall not truly make known the Name and Place of Abode of the Person so suffered by him to act as Driver or Conductor without the Consent of the Proprietor, and also the Number of the Ticket of such Person (if licensed), shall be liable to a further Penalty of Forty Shillings; and it shall be lawful for any Police Constable, without any Warrant for that Purpose, to take into Custody any Person unlawfully acting as a Driver or as a Conductor, and to convey him before any Justice, to be dealt with according to Law, and also, if necessary, to take charge of the Carriage and every Horse in charge of such Person, and to deposit the same in some Place of safe Custody until the same can be applied for by the Proprietor.

Commissioners to grant Licence to act as a Driver, &c., on Production of Certificate.

LII. It shall be lawful for the said Commissioners to grant to any Male Person more than Sixteen Years of Age, on producing a satisfactory Certificate of Ability to drive, and of good Character, a Licence to act as Driver of any Hackney Carriage, Stage Carriage, or Job Carriage, or Horse, and also to grant to any such Male Person, upon the Production of a Certificate of good Character, a Licence to act as Conductor of any Stage Carriage; and for every such Licence and for every Renewal thereof there shall be paid the Duty appropriated thereto in the Schedule (B.) to this Act annexed, and there shall be specified in it the proper Name and Surname, Place of Abode, Age, and Description of the Person to whom such Licence shall be granted; and every such Licence shall bear a distinctive Number, and be dated on the Day upon which the same shall be granted, and shall thence continue in force until voluntarily surrendered by the Party named therein, or until otherwise determined or revoked under the Provisions of this Act, and except for the Time (if any) during which the same shall be suspended by the said Commissioners or by any Justice; and in every such Licence there shall be specified a Period within which the same shall while in force be surrendered annually at the Office which the said Commissioners shall appoint, for the Purpose of the same being renewed or re-granted: Provided always, that it shall and may be lawful for the said Commissioners to refuse to grant any such Licence or Renewal thereof, or to revoke any such Licence, in case it shall appear that the Person applying for or in possession of such Licence is an unfit Person to hold the same, by reason of his having been convicted of any Theft or Felony, or of his having been convicted of any Assault, or of Drunkenness, or of any Violation of this Act, or the Rules and Regulations or Byelaws relating to Hackney Carriages: Provided also, that it shall not be necessary for the Guard of any of Her Majesty's Mails to obtain a Licence under this Act.

What shall be specified in the Licence.

LIII. Before

Drivers, &c. applying for Licences to sign Requisition for the same.

LIII. Before any such Licence as last aforesaid shall be granted or renewed a Requisition for the same, in such Form as the said Commissioners shall prescribe for that Purpose, and accompanied (except in Cases of Renewal) with such Certificate as herein-before is required, shall be made and signed by the Person to whom such Licence is requested to be granted, and in every such Requisition there shall be truly specified and set forth the proper Name and Surname and Place of Abode and Age of the Person applying for such Licence, with all such further Particulars as the Commissioners may require; and if any Person applying for, and procuring or attempting to procure, any such Licence as last aforesaid, or any Renewal thereof, shall make or cause to be made any false Representation in any such Requisition as aforesaid, or if he shall not truly answer all Questions which shall be demanded of him in relation to such Application for a Licence or Renewal, or if any Person to whom Reference shall be made shall in regard to such Application wilfully or knowingly make any Misrepresentation with the Intention of deceiving the said Commissioners, each and every Person so offending shall forfeit for every such Offence a Sum not exceeding Forty Shillings; and it shall be lawful for the said Commissioners, upon Proof of any such Offence, to revoke any Licence which shall have been granted upon any such false Representation; and it shall be also lawful for the said Commissioners to proceed for recovering of such Penalty before any Justice at any Time within One Calendar Month after the Commission of the Offence, or during the Currency of the Licence so improperly obtained.

Persons making false Representations to forfeit 40*s*., and Licence may be revoked.

Licences may be revoked or suspended by Justices.

LIV. It shall be lawful for any such Justice before whom any Driver or Conductor shall be convicted of any Offence, whether under this Act or any other Act, or under any Rule, Order, or Byelaw duly made by the said Commissioners as herein-before provided, if such Justice, in his Discretion, shall think fit, to revoke the Licence of such Driver or Conductor, and also any other Licence which he shall hold under the Provisions of this Act, or to suspend the same for such Time as the Justice shall think proper; and if any Driver or Conductor complained of shall be adjudged guilty of the Offence alleged against him, the Justice before whom he shall be convicted shall in every Case endorse upon the Licence of such Driver or Conductor the Nature of the Offence and the Penalty or other Punishment which shall be so inflicted; and if the said Licence shall not be produced, on Demand thereof, it shall be lawful for the Justice to detain in Custody such Driver or Conductor until the Proprietor or Person in whose Possession such Licence shall then be shall deliver up the same, or until such Proprietor or Person shall be summoned in manner as herein-before directed; and the Justice shall forthwith send

send such Licence, and the Badge thereunto belonging, to the Commissioners, who shall cancel such Licence if it has been revoked by the Justice, or if it has been suspended shall at the End of the Time for which it shall have been suspended re-deliver such Licence, with the said Badge, to the Person to whom it was granted.

An Abstract of the Laws and a Badge to be delivered to Drivers, &c. with Licence.

Badge to be worn by Drivers, &c.

Penalty for Neglect, or refusing to permit any Person to inspect Badge, 40*s*.

LV. The said Commissioners shall at the Time of granting any such Licence cause to be delivered to the Driver or Conductor to whom the same shall be granted an Abstract of any Law, Byelaw, and Regulations in force specifically relating to such Employment, and of the Penalties for any Misconduct therein, and also such Badge of Distinction as the said Commissioners shall cause to be provided and shall require to be worn; and every such Driver or Conductor shall at all Times during his Employment, and when he shall be required to appear before any Justice, wear such Badge in such Manner as shall be required by any Rule, Order, or Byelaw made in relation thereto, so that the Number thereon shall be distinctly visible and legible; and if any licensed Driver or Conductor shall act as such or shall attend before any Justice, without having and wearing such Badge in manner aforesaid, or shall when thereunto required refuse to produce such Badge for Inspection, or to permit any Person to note the Number thereon, he shall for every such Offence forfeit a Sum not exceeding Forty Shillings.

Drivers Licences and Badges to be surrendered upon the Discontinuance of Licence.

Penalty for wearing a Badge without having a Licence.

LVI. If in any Year any such Licence as last aforesaid shall not be renewed within the Period specified therein for the Purpose, or shall be revoked for any of the Causes herein-before mentioned, the Person to whom such Licence shall have been granted shall deliver up such Licence and the Badge belonging thereto to the said Commissioners, or the Officer appointed by them for that Purpose; and if after such Licence shall have been revoked, or shall not have been renewed in any Year within the Period prescribed for the Purpose, such Person shall use or wear the Badge thereto belonging, or shall neglect or refuse for the Space of Three Days to deliver the same and the Licence to the said Commissioners, or the Officer appointed by them for that Purpose, or if any Person shall use or wear or detain any Badge without being named and described in a Licence in force relating thereto, he shall for every such Offence forfeit any Sum not exceeding Forty Shillings, and so from Time to Time until such Badge shall be delivered up in manner herein specified; and it shall be lawful for any Constable to seize and take away any Badge so worn unlawfully, wheresoever the same may be found, and thereupon deliver the same to the said Commissioners.

LVII. Whenever

New Badges to be delivered in lieu of defaced or lost Badges.

LVII. Whenever the Number of any Badge shall become obliterated or defaced, so that the same shall not be distinctly visible and legible, and also whenever any Badge shall be proved to the Satisfaction of the said Commissioners to have been lost or mislaid, the Person to whom the Licence relating to any such Badge shall have been granted shall produce such Licence to the said Commissioners or their proper Officer, and in the Case of a Badge with the Number obliterated or defaced shall at the same Time deliver up such Badge, and such Person shall then be entitled to have a new Badge delivered to him in lieu of the Badge so lost or mislaid or delivered up, upon the Payment of the Sum of Two Shillings, to be applied as aforesaid: Provided always, that if any Badge which shall have been proved as aforesaid to have been lost or mislaid shall afterwards be found, the same shall forthwith be delivered up to the said Commissioners or their proper Officer; and if any Person into whose Possession any such Badge as last aforesaid shall come shall neglect for the Space of Three Days or refuse to deliver up the same to the said Commissioners or their proper Officer, to be disposed of as the said Commissioners may think proper, or if any Person licensed under the Authority of this Act shall use or wear the Badge granted to him after the Number thereon shall be in any Manner obliterated, defaced, or obscured, so that the same shall not be distinctly visible and legible, every such Person so offending shall for every such Offence forfeit a Sum not exceeding Forty Shillings.

Penalty for not delivering up lost Badge when found, or for wearing a Badge after it has been defaced, 40s.

Forgery of Licence or Badge, or knowingly uttering a forged Licence or Badge, a Misdemeanor.

LVIII. If any Person shall forge or counterfeit, or shall cause or procure to be forged, counterfeited, or resembled, any Licence or Badge by this Act directed to be provided for each Driver or Conductor as aforesaid, or if any Person shall sell or exchange or expose to Sale, or utter or bestow, any such forged or counterfeited Licence or Badge, or if any Person shall knowingly and without lawful Excuse (the Proof whereof shall lie on the Person accused) have or be possessed of such forged or counterfeited Licence or Badge, knowing such Licence or Badge to be forged or counterfeited, every Person so offending, and every Person knowingly and wilfully aiding, abetting, or assisting any Person committing any such Offence as aforesaid, shall be adjudged guilty of a Misdemeanor, and being thereof convicted shall be punished by Imprisonment in the Common Gaol or House of Correction for a Term not exceeding Two Calendar Months, and either with or without Hard Labour, as the Court shall think fit; and it shall be lawful for any Person to detain any such Licence or Badge, or for any Constable to seize and take away any such Licence or Badge, in order that the same may be produced in Evidence against such Offender, or be disposed of as the said Commissioners shall think proper.

LIX. As

LIX. As often as any Driver or Conductor, if licensed under this Act, shall change his Place of Abode, he shall, within Four Days next after such Change, give Notice thereof in Writing signed by him to the said Commissioners, specifying in such Notice his new Place of Abode, and shall at the same Time produce his Licence to the said Commissioners, or to an Officer appointed by them for that Purpose, who shall endorse thereon a Memorandum specifying the Particulars of such Change; and if any such Driver or Conductor shall make any Change as aforesaid, and shall neglect or omit to give Notice of such Change, or to produce his Licence, in order that such Memorandum as aforesaid may be endorsed thereon, within the Time and in the Manner herein limited and directed, he shall forfeit for every such Offence a Sum not exceeding Forty Shillings; and in case any of the Particulars entered or endorsed upon any Licence in pursuance of this Act shall be erased or otherwise defaced, every such Licence shall be wholly void and of none Effect.

Notice to be given by Drivers of any Change of Abode to be endorsed on Licence. If not given, to forfeit 40*s*.

LX. It shall not be lawful for any Person to carry about on any Carriage or on Horseback or on Foot, in any Thoroughfare or public Place within the Limits of this Act, to the Obstruction or Annoyance of the Inhabitants or Passengers, any Picture, Placard, Notice, or Advertisement, whether written, printed, or painted upon or posted or attached to any Part of such Carriage, or on any Board, or otherwise.

Advertising Vehicles, &c. prohibited.

LXI. All Duties, Penalties, Fines, and Forfeitures imposed by this Act, or which may be incurred under any of the Provisions of this Act, or under any Byelaw, Order, Rule, or Regulation made pursuant thereto, and all and every Sum and Sums of Money whatsoever which may be payable or recoverable thereunder in the Nature of Compensation or Damages, Costs, Expenses, or otherwise, wheresoever the Contract, Offence, Act, or Matter by which the same may have originated or become payable or recoverable shall be committed or done, or have happened or terminated, may be inflicted by or be sued for and recovered before any One or more of the Divisional Justices of the Police District of *Dublin* Metropolis, whether the Subject Matter of the Complaint preferred before him in relation thereto took place within the Limits of this Act or beyond the same; and One or more of the said Justices shall attend for the Purpose of hearing and determining Complaints respecting the Premises at such Place or Places within the said Police District, or for any Division thereof, although the same may not be One of the Divisional Offices of Police for the District, and at such Time or Times, as shall be appointed for the Purpose by the Lord Lieutenant or other Chief Governor or Governors of

Infliction of Penalties and Recovery of Fines, &c.

Offences, wheresoever committed, to be cognizable by Divisional Justices.

of *Ireland*, or according to any general Directions to be from Time to Time given by the Chief or Under Secretary to the Lord Lieutenant; and in case of any Dispute between the Hirer and Driver of any Hackney Carriage, the Hirer may require the Driver forthwith to drive to the nearest Metropolitan Police Court, where Complaint may be made to the Magistrate then sitting, who shall hear and determine the same, without requiring any Summons to be issued for that Purpose; and if such Dispute should arise at a Time when the Police Court shall not be open, the Hirer may require the Driver to drive to the nearest Police Station, where the Complaint shall be entered, and Notice given to both Parties that the Matter in Dispute shall be heard by the Magistrate at his next Sitting; and it shall be lawful for any Divisional Justice by whom any Person shall be convicted of any Offence under this Act, or under the Byelaws, Orders, or Regulations made pursuant thereto, to lessen the Penalty or Term of Imprisonment in such Manner as he may think fit.

In case of Disputes the Hirer may require the Driver to drive to a Police Court, &c. or to a Police Station.

Power to mitigate Penalties.

Providing for Cases where there are more Proprietors than One.

LXII. In every Case where there shall be more than One Proprietor of any Hackney or other Carriage as aforesaid, or Stage Carriage, or Job Horse, or Cart, it shall be sufficient in any Information, Summons, Order, Conviction, Warrant, or any other Proceeding under the Provisions of this Act, to name One of such Proprietors, without reference to any other or others of them, and in the Case of a Body Corporate or public Company the public Officer thereof, and to describe and proceed against him as if he were sole Proprietor.

Fees to Justices.

LXIII. Such Fees as are contained in the Schedule hereunto annexed marked (E.), and no other or greater Fees, shall be taken by any Justice for any Business done or Proceedings had before him under this Act.

Service of Summons.

LXIV. Any Summons issued by any Justice requiring the Appearance of any Defendant, or of any Witness or other Person with reference to any Information, Complaint, or other Proceeding pending for the Recovery of any Forfeiture, Penalty, or Sum of Money, or otherwise howsoever under this Act, shall be deemed to be well and sufficiently served in case either the Summons or a Copy thereof shall, Forty-eight Hours at least before the Time appointed for the Hearing of the Complaint, or other the Cause of such Summons, be served personally on any such Person as aforesaid, or be left at his usual or last Place of Abode, or at his Counting House or Office, or other Place of Business, or (in case such Person be a licensed Proprietor of a Hackney

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Hackney Carriage, Job Carriage, Job Horse, Stage Carriage, or Cart,) at the Place registered as aforesaid as the Place of Abode or Business of such Proprietor, as the Case may be; and if such Place cannot be found, or if such Proprietor shall not be known thereat, then such Summons shall be deemed to be well and sufficiently served, if the same or a Copy thereof be fixed up in some conspicuous Place in the public Office or Place appointed for the hearing of Causes under this Act within the said Police District of *Dublin* Metropolis: Provided always, that in all Cases in which the Places of Abode, Counting-house, Office, or other Place of Business of such Proprietor shall be at a greater Distance than Two Miles from the General Post Office, such Proprietor shall be required, prior to the Issue of any Licence to him under this Act, to specify in his Application for the same a Place of Address within the Municipal District of the City of *Dublin*; and every Summons as aforesaid, or a Copy thereof, shall be deemed well and sufficiently served if served personally upon the known or reputed Driver of such Proprietor, or left at the usual Place of Abode of any such Driver, or if left at such Place of Address of such Proprietor, Forty-eight Hours at least before the Time appointed for the hearing of the Complaint or other Cause of Summons.

Informants or Complainants not disqualified from being Witnesses.

LXV. Upon the Trial or Hearing of any Information or Complaint exhibited or made under any of the Provisions of this Act, or under any Rule, Order, or Byelaw made in pursuance thereof, any Informant or Complainant or other Person shall be deemed and is hereby declared to be a competent Witness, notwithstanding that he may be entitled to any Part of any pecuniary Penalty or to any pecuniary Compensation or Reward on the Conviction of any Offender upon any such Information or Complaint, or liable to any Police Rate or Tax; provided nevertheless, that it shall also be lawful to and for the Divisional Justice by and before whom any Information or Complaint is to be determined, if in his Discretion he shall think fit so to do, to admit the Respondent or Party accused in any such Case to be examined upon Oath, and give Evidence touching the said Complaint and the Matters relating thereto.

Respondents also competent.

Penalty on Witnesses neglecting to attend or refusing to give Evidence.

LXVI. If any Person who shall be summoned as a Witness to give Evidence before a Justice touching the Matters alleged in or relating to any Information, Complaint, or other Proceeding depending before such Justice under the Authority of this Act, shall neglect or refuse to appear before such Justice at the Time and Place to be for that Purpose appointed, without a reasonable Excuse, to be allowed by such Justice, or if any Person so summoned shall appear and refuse to be examined and give Evidence before such Justice touching the Matters aforesaid,

aforesaid, every Person so offending shall forfeit a Sum not exceeding Forty Shillings; and if any such Witness or any Complainant shall make any Statement in Evidence which shall be proved to be untrue, and to be a wilful and known Misrepresentation of the Circumstances or Occurrences connected with the Complaint, Information, or other Proceeding depending before such Justice, it shall be lawful for the said Justice to commit the Person so offending to Prison for any Period not exceeding Two Calendar Months, with or without Hard Labour, as the said Justice shall direct: Provided always, that nothing herein contained shall prevent a Prosecution for Perjury against any such Witness or Complainant, if such Justice shall so direct; and if any Complainant, Witness, Defendant, or other Person shall, by any disrespectful or disorderly Conduct before the said Justice, in the Use of violent, abusive, or indecorous Language, to whomsoever applied, or of any Imprecation, Threat, or slanderous Imputation, or of any menacing Gesture, or of any Act, Gesture, or Language tending to provoke a Breach of the Peace, or of any other Means of Disturbance or Disorder, it shall be lawful for the said Justice to inflict for every such Offence a Fine not exceeding Forty Shillings, and in default of immediate Payment thereof to commit the Person so offending to Prison for any Period not exceeding Seven Days.

Justices empowered to award Compensation to Persons for Loss of Time in attending to answer unfounded Complaints.

LXVII. If any Person shall be summoned or brought before any Justice to answer any Complaint made against him by any Person, other than a Police Officer or Constable, touching or concerning any Offence committed or alleged to have been committed by the Person so summoned or brought before such Justice against the Provisions of this Act, or any Byelaw, Order, Rule, or Regulation made pursuant thereto, and such Complaint or Information shall afterwards be withdrawn, or quashed, or dismissed, or if the Defendant shall be acquitted of the Offence charged against him, it shall be lawful for the said Justice, if he shall think fit, to order and award that the Person making such Complaint shall pay to the Defendant such Costs for making or preparing for his Defence, and also such Compensation for the Loss of his Time, and for the Time of his Witnesses (if any), in attending the said Justice, touching or concerning such Complaint or Information, as to the said Justice shall seem reasonable; and in default of immediate Payment of the Sum so awarded it shall be lawful for the said Justice to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person ordered to pay the Sum so awarded, together with the Costs of such Distress and Sale; and if Goods and Chattels of such Person sufficient to answer the Sum so awarded, with such Costs as aforesaid, cannot be found, then it shall be lawful for such Justice to commit such Person to the Common Gaol

Gaol or House of Correction for any Time not exceeding Two Calendar Months, unless the Sum so awarded, together with all Costs and Expenses, shall be sooner paid and satisfied

Penalty on false Oaths.

LXVIII. If any Person or Persons who shall take any Oath in pursuance of this Act shall wilfully swear falsely therein, and shall be thereof lawfully convicted, by Verdict or Confession, any such Person so offending shall for any such Offence incur and suffer such Penalties, Pains, and Disabilities as Persons convicted of wilful and corrupt Perjury are or shall be liable to by any Law then in force in *Ireland*; and if any Person or Persons shall procure or suborn any other Person to take such false Oath, and shall be thereof convicted, by Verdict or Confession, (whether the Person having taken such false Oath shall be previously convicted or not,) any such Person so procuring or suborning shall for every such Offence incur and suffer such Penalties, Forfeitures, Pains, and Disabilities as Persons convicted of Subornation of Perjury are or shall be liable to by any Law then in force in *Ireland*.

Appeal.

LXIX. In case any Person or Persons who shall be refused a Licence, or whose Licence shall be revoked under the Provisions of this Act, or against whom any Information or Complaint shall have been exhibited under this Act, shall feel aggrieved by such Refusal or Revocation, or by the Judgment given upon such Information or Complaint, where such Judgment shall be for the Payment of any penal or other Sum exceeding Twenty Shillings, or for any Term of Imprisonment exceeding One Month, but in no other Case, it shall be lawful for such Person or Persons, upon giving such Notice as herein-after mentioned, to appeal therefrom to the Recorder of the City of *Dublin* at his next Sessions, or if there be not One Week between the Time of such Refusal, Revocation, or Adjudication and the next Sessions, then to the next succeeding Sessions after the Expiration of such Week to be holden in and for the said County of the City of *Dublin*; and it shall be lawful for the said Recorder to hear, adjudge, and finally determine such Appeal; and if upon any such Appeal any Defect in Form shall be found in any Part of such Proceedings, every such Defect of Form shall and may thereupon be immediately rectified and amended by Order of such Recorder, anything in this or any other Act or Acts of Parliament to the contrary notwithstanding: Provided always, that such Refusal or Revocation of any such Licence shall be valid until the final Decision of any such Appeal.

Defects of Form cured upon Appeal.

No Appeal allowed unless Notice thereof given.

LXX. No such Appeal as aforesaid shall be allowed unless the Party or Parties Appellant shall, within Forty-eight Hours after such Refusal

Refusal or Revocation, or the giving of the Judgment appealed against, give Notice in Writing of such Appeal to the Secretary of the said Commissioners or to the Clerk of the Justice from whose Judgment such Appeal shall be made, and shall in due Time lodge such Notice at the Office or with the Clerk of the Peace at such General or Quarter Sessions as aforesaid respectively at which such Appeal is to be finally adjudged and determined.

Execution shall not be stayed unless the Party convicted shall give Security by Recognizance to prosecute Appeal.

LXXI. No Appeal shall stay or prevent the Execution of any Warrant or Process on any Conviction, unless the Party convicted shall before the convicting Justice or Justices enter into a Recognizance, with Two sufficient Sureties, in a Sum equal to double the Amount of the Penalty or Penalties in which the said Party shall have been convicted, and of the Costs awarded, if any, which Recognizance shall be conditioned that the Party so appealing shall personally appear at the proper General Quarter Sessions, and abide the Judgment of the Court thereupon, and pay such Costs, if any, as shall be by the Court awarded, which Recognizance such Justice or Justices is and are hereby authorized to require and take of the Party convicted entering into such Recognizance; and the Justice who shall take such Recognizances is also hereby required to bind the Person who shall make the Charge on which such Judgment shall have been given in a Recognizance conditioned that he shall appear at such General or Quarter Sessions aforesaid, then and there to give Evidence against the Person so charged, and to in like Manner bind any other Person who shall have any Knowledge of the Circumstances of such Offence; and every such Witness, on producing a Certificate of his being so bound over under the Hand of such Justice, shall be allowed Compensation for his Time and Trouble and Expenses in attending such Appeal, which Compensation shall be paid by the Treasurer of the County in like Manner as in Cases of Felony, according to and under the Provisions of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of King *William* the Fourth, Chapter One hundred and sixteen: Provided always, that in case such Appeal shall be dismissed and such Conviction affirmed, the reasonable Expenses of all such Witnesses attending as aforesaid, to be ascertained by the Court, shall be paid by the Appellant or Appellants, and the Recognizance or Recognizances so entered into as aforesaid shall be estreated, unless such Expenses are so paid by such Appellant or Appellants; and it shall not be necessary, at the hearing of such Appeal, to return or produce to the Court of Quarter Sessions any Record of the Conviction of the Defendant or Appellant before any Divisional Justice, but it shall be deemed sufficient for the Clerk of the convicting Justice to attend

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at such Court of Quarter Sessions, and produce the Book containing the Entry of such Conviction; and such Clerk shall enter in such Book the Judgment of said Court of Quarter Sessions in reference to such Appeal, and thereupon such Judgment shall be held to be final and conclusive between the Parties to such Appeal.

Court of Quarter Sessions, on Appeal, to examine only the Evidence before given and in case of any new Judgment to have the like Power of mitigating as the original Justices

LXXII. Upon every such Appeal as aforesaid it shall be lawful for the Court of General or Quarter Sessions to re-hear upon Oath the Merits of the Case whereon the original Judgment appealed against shall have been given, and to reverse or confirm in the whole or in part the Judgment appealed against, or to give such new or different Judgment as they in their Discretion shall in that Behalf think fit; and such Court shall in such new or different Judgment have the same Power of mitigating as is herein-before by this Act given to Justices in Judgments given by them: Provided always, that it shall be lawful for such Court as aforesaid, at its Discretion, to state specially the Facts of any Case on which such Appeal shall be made, for the Opinion of Her Majesty's Court of Queen's Bench in *Ireland.*

Court to adjudge Costs in case of Dismissal or Abandonment of Appeal.

LXXIII. When any Appeal under this Act shall be dismissed, or the Adjudication appealed against shall be affirmed, or such Appeal shall be abandoned, it shall be lawful for the Court to which such Appeal shall have been made or intended to be made to adjudge and order that the Party appealing shall pay such reasonable Costs as shall in the Opinion of such Court be meet, to be recovered in like Manner as the Penalties given by this Act are recoverable.

In what Manner Goods distrained shall be sold.

LXXIV. In all Cases where any Goods or Chattels distrained or otherwise seized or taken under any of the Provisions of this Act shall be sold for the Purposes thereof, the same shall be sold by public Auction, and Notice of the Time and Place of such Sale be given to the Owner of such Goods or Chattels, or left at his last known Place of Abode or of Business, Five Days at the least prior to such Sale: Provided always, that if the Owner of any such Goods or Chattels shall give his Consent in Writing to the Sale thereof at any earlier Period than is by this Act or shall be by any such Notice appointed for such Sale, or in any other Manner than is by this Act directed, it shall be lawful to sell such Goods and Chattels according to such Consent; provided also, that if the Owner of such Goods or Chattels shall at any Time before Sale thereof pay or tender to the Person who by any Warrant or other Process shall be directed or authorized to cause such Goods or Chattels to be sold the Sum which shall by such Warrant or Process be required to be levied or raised

by the Sale of such Goods or Chattels, together with all reasonable Costs and Expenses incurred, no Sale of such Goods or Chattels shall be made.

Justices may issue Warrants to apprehend in certain Cases.

LXXV. It shall be lawful for any Justice, upon any Complaint being lodged before him under the Provisions of this Act against the Proprietor or Driver of any Hackney Carriage, Job Carriage, Stage Carriage, Job Horse, or Cart, to issue a Warrant for the Apprehension of such Proprietor or Driver, or a Summons for his Appearance to be examined touching the said Complaint, or to answer the same, as to such Justice shall seem fit.

Persons obstructing the Execution of this Act to be committed until duly discharged.

LXXVI. If any Person or Persons whatsoever shall assault, molest, resist, or obstruct the said Commissioners, Divisional Justices, or any of them, or any Person acting under the Authority of them or any of them, in the Execution of his or their Duty under this Act, it shall and may be lawful for such Commissioners, Divisional Justice or Justices, or Persons so acting under his or their Authority, and for all and every Person or Persons acting in his or their Aid and Assistance, to arrest all and every Person or Persons so offending, and him, her, or them to convey before any One of the said Divisional Justices, or, if apprehended in the Night-time, to lodge him, her, or them in the Station House or other Place for safe Custody until the Morning, and then to carry and convey such Person or Persons before any One or more of the said Divisional Justices; and such Justice or Justices shall and may, if upon due Examination he or they shall find Cause, commit every such Person to Gaol, there to remain until he, she, or they shall be delivered by due Course of Law.

Distribution of Penalties.

LXXVII. All pecuniary Penalties which shall be recovered before any Justice under the Provisions of this Act shall respectively be divided and distributed in manner following; (that is to say,) One Moiety thereof to the said Receiver of the said Police District of *Dublin* Metropolis, to be placed by him to the Account of the Public Monies of the Revenue of the Metropolitan Police District, and to be applied accordingly, and the other Moiety thereof to the Person who shall give Information of the Offence and prosecute the Offender: Provided nevertheless, that in case the Person who shall so give Information and prosecute shall be at the Time of the Commission of the Offence, or of the hearing of the Complaint, employed in the *Dublin* Metropolitan Police Service, the whole Penalty so forfeited shall be paid to the said Receiver for the Purposes aforesaid

Limitation of Actions.

LXXVIII. Any Action or Prosecution which shall be brought or commenced against any Person for anything done in pursuance

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or under the Authority of this Act shall be commenced and prosecuted within Three Calendar Months next after the Fact committed, and not afterwards, and shall be brought and tried in the District, County, or Place where the Cause of Action shall arise, and not elsewhere; and Notice in Writing of such Action, and the Cause thereof, shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and the Defendant in such Action may plead the General Issue, and give this Act and any other Matter or Thing in Evidence at any Trial to be had thereupon; and if the Cause of Action shall appear to arise from any Matter or Thing done in pursuance and by the Authority of this Act, or if any such Action shall be brought after the Expiration of such Three Calendar Months, or shall be brought in any other County or Place than as aforesaid, or if Notice of such Action shall not have been given in manner aforesaid, or if Tender of sufficient Amends shall have been made before such Action commenced, or if a sufficient Sum of Money shall have been paid into Court after such Action commenced by or on behalf of the Defendant, the Jury shall find a Verdict for the Defendant; or if a Verdict shall pass for the Defendant, or if the Plaintiff shall become nonsuited, or shall discontinue any such Action, or if, on Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall recover his full Costs of Suit as between Attorney and Client, and shall have the like Remedy for the same as any Defendant may have for Costs of Suits in other Cases at Law; and although a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be had shall signify his Approbation of the Action, and of the Verdict obtained thereupon.

Security to be given by Officers, &c. employed under this Act.

LXXIX. Every Officer employed under the said Commissioners who in the Execution of his Duty shall be engaged in the Receipt of Money payable in pursuance of this Act shall, in respect of any Money to be received by him under this Act, and any other Act in the Execution of which he shall be employed, give Security in such Amount as the said Commissioners, with the Approval of the said Chief or Under Secretary, shall direct, in like Manner and Form as is required to be given by each Clerk of Petty Sessions under the Provisions of "The Petty Sessions (*Ireland*) Act, 1851."

Interpretation of certain Words in this Act.

LXXX. And be it enacted, That the Words and Expressions herein-after mentioned shall in this Act and the Schedules thereto annexed (except where the Nature of the Provisions or the Context of the Act shall exclude such Construction) be interpreted as follows; that is to say, the Words "Commissioners of Police" shall be understood to mean the Justices of the Police District of *Dublin* Metropolis for

for the Time being, appointed by virtue of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for improving the Police in the District of* Dublin *Metropolis;* the Word "Justice" shall be understood to mean any of the Divisional Justices duly appointed for the Police District of *Dublin* Metropolis; the Word "Gaol" shall include any House of Correction or Bridewell, or other legal Place of Imprisonment within the Police District of *Dublin* Metropolis; the Word "Oath" shall include Affirmation or solemn Declaration, as the Case may be; the Words "Hackney Carriage" shall include every Carriage for Passengers (except a Stage Carriage, or a Carriage drawn or impelled by the Power of Steam or otherwise than by Animal Power,) which shall be used for the Purpose of standing or plying for Hire in any Street or Road or any Place within the Limits of this Act; the Words "Job Carriage" shall include every Hearse and Mourning Coach, and also every Carriage which shall not ply publicly for Hire, or stand for the soliciting of Passengers, but shall be let out to Hire for the Purpose of conveying from or to any Place within the Limits of this Act to or from any Place within or beyond the said Limits any Person or Persons engaging the same by the Hour, Day, or otherwise by way of Job; the Words "Stage Carriage" shall include every Stage Carriage, Car, Omnibus, or other Carriage conveying Passengers at separate and distinct Fares between Places within the Limits of this Act, and also such as shall ply in like Manner between any of the said Places and any Place Ten Miles beyond the said Limits, except Carriages drawn or impelled by the Power of Steam or otherwise than by Animal Power, and shall also include every Carriage or other Vehicle, whether plying for Hire or not, which shall be used for public Accommodation, in conveying any Person from or to the Terminus of any Railway within the Limits of this Act to or from any Hotel, Coach Office, Caravan Office, Steam Packet, Steam Packet Office, or Railway Terminus, or other Place or Places whatsoever within or beyond the said Limits; and the Words "Limits of this Act" shall include every Place within the Police District of *Dublin* Metropolis as the same now is or shall hereafter be by Law defined; the Words "Job Horse" shall include every Horse let out for Hire, singly or otherwise, in the way of Job to draw any Carriage for the carrying of Persons from or to any Place within the Limits of this Act to or from any Place within or beyond the said Limits, such Carriage not being a Hackney, Job, Post, or Stage Carriage; the Word "Cart" shall include every Car, Cart, Dray, Caravan, or other Vehicle drawn by any Horse or other Beast of Burden, and not exclusively employed on the Line of any Railway or Tramroad, or intended for the carrying of any Person except the Driver,

6 & 7 W. 4. c. 29.

Driver, which shall be used or let out for Hire by any Body Corporate, Company, or Person whatsoever within the Limits of this Act, for the Land Carriage, Delivery, or Sale of any Goods, Wares, Produce, Manufacture, Utensils, Machinery, Matter, Commodity, or Thing, save and except Carts employed in bringing Hay, Corn, Straw, Vegetables, or Potatoes to Market, or Manure from Town; the Word "Proprietor" shall include every Person who shall either solely, or in Partnership with any other Person, be Owner of or concerned in using or letting to Hire any Hackney, Job, or Stage Carriage or Cart, or Job Horse; "Driver" shall include Proprietor or any Person engaged at the Time in driving a Hackney, Job, Stage Carriage, Cart, or Job Horse; the Word "Horse" shall include every Mare or Gelding, Mule, Ass, or other Beast of Burden or Draught; and every Word importing the Singular Number or the Masculine Gender only shall extend and be applied to several Persons and Things as well as to One Person or Thing, and *vice versâ*, and to Males as well as Females, and to Bodies Corporate as well as Individuals: Provided always, that nothing in this Act shall extend or be construed to extend to the imposing of any Duty in respect of any Mail Carriage or Cart employed exclusively in the Service of the General Post Office, and solely for the Purpose of conveying Mails or Letter Carriers actually on Duty, or of any Cart which shall be the Property of and be employed exclusively in the immediate Service of any Committee duly appointed by the Corporation of the Borough of *Dublin* for the Management of the paving, cleaning, watering, and lighting of the Streets, Lanes, and Avenues of *Dublin*, or of any Commissioners or public Bodies which now are or hereafter may be by Law duly authorized for the Management of the paving, cleaning, watering, and lighting the Streets, Lanes, Roads, and Avenues of any Town, District, or Place within the Limits of this Act, or of any Cart or other Carriage belonging to or for the exclusive public Use of any Department of Her Majesty's Service.

Short Title.

LXXXI. In citing this Act in other Acts of Parliament, or in legal Instrument or any Proceedings, it shall be sufficient to use the Expression "The *Dublin* Carriage Act, 1853."

Forms to be prepared by Commissioners.

LXXXII. The said Commissioners of the Metropolitan Police shall prepare and adopt Forms of Summonses, Warrants, Convictions, and other Proceedings, which, when so prepared and adopted, shall be as valid in Law as if specially set forth in this Act.

Misnomers not to affect the Execution of the Act.

LXXXIII. No Misnomer or inaccurate Description in the Schedules to this Act annexed, any Byelaw, Rule, or Order, shall prevent or in anywise affect the Operation thereof; but this Act, and every such

such Byelaw, Rule, and Order, shall apply and be enforced as fully and effectually to all Intents and Purposes as if the Subject of such Misnomer or Misdescription had been correctly named and described in such Schedule, Byelaw, Rule, or Order, provided the same be designated to common Intent and Understanding.

Commencement of Act.

LXXXIV. This Act shall commence and take effect from and after the First Day of *January* One thousand eight hundred and fifty-four.

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SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

ACTS AND PARTS OF ACTS REPEALED.

Date of Act.	Title.	Extent of Repeal.
37 Geo. III. c. 58. -	An Act for amending and reducing into One Act of Parliament the Laws relating to Hackney and other Carriages plying in the City of Dublin, its Suburbs and Liberties, and within Seven Miles thereof.	The whole.
39 Geo. III. c. 56. -	An Act to amend an Act passed in the Thirty-fifth Year of the Reign of His late Majesty King George the Third, intituled "An Act for the more effectually preserving the Peace within the City of Dublin and the District of the Metropolis, and establishing a Parochial Watch in the said City;" and also to amend One other Act passed in the Thirty-sixth Year of the Reign of His late Majesty King George the Third, intituled "An Act to explain and amend an Act passed in the Thirty-fifth Year of the Reign of His late Majesty King George the Third, intituled 'An Act for the more effectually preserving the Peace within the City of Dublin and the District of the Metropolis, and establishing a Parochial Watch in the said City,' and for remedying the Abuses committed by Pawnbrokers within the District of the Metropolis or Three Miles thereof."	Sections 24 and 25, which amend and explain the said Act of the Thirty-seventh Year of the Reign of King George III.
40 Geo. III. c. 62. -	An Act for amending and making perpetual the several Laws for regulating the Watch in the District of the Metropolis, and for granting a further Duty upon Pawnbrokers.	Section 4, which enables Informers under the said Act of the Thirty-seventh Year of the Reign of King George III. to be competent Witnesses.

Dublin Carriage.

Date of Act.	Title.	Extent of Repeal.
44 Geo. III. c. 22. - Local. Declared to be a Public Act.	An Act for the better defraying the Charges for preserving the Peace within the City of Dublin, and establishing a Parochial Watch therein.	Sections 4, 5, and 6, whereby Power is given to the Superintendent Magistrate for the said District to license Persons who shall own, keep, or drive any Cart or other Vehicle used in the Business of Persons keeping Dairies, and to make Regulations for the Observance of all Persons leading or driving Carts or other Vehicles within the said District, and impose, inflict, and levy Fines for Breaches of the Regulations so established.
48 Geo. III. c. 140. -	An Act for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies, within the District of Dublin Metropolis.	Sections 60, 61, 62, and 63, whereby Power is given, amongst other things, to the Divisional Justices of the Castle Division of said District to issue and sign Licences theretofore exercised by the Superintendent Magistrate under the said Act passed in the Thirty-seventh Year of the Reign of King George III., so far as relates to any Vehicle described in or coming within the Provisions of this Act.
5 Geo. IV. c. 102. -	An Act to amend an Act of the Forty-eighth Year of the Reign of His late Majesty, for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies, within the District of Dublin Metropolis.	Section 21, whereby Power is given to the Divisional Justices of the said Castle Division of said District, or any of them, to make Rules and Regulations for the Stands of Hackney Carriages and the Conduct of Drivers of any Carriages and Horses within said District.
4 & 5 Wm. IV. c. 90. Local. Declared to be a Public Act.	An Act for paving, watching, lighting, regulating, and otherwise improving the Town of Kingstown in the County of Dublin.	Section 129, enabling the Commissioners in said Act mentioned, from Time to Time, to appoint proper Places in the Town of Kingstown and the Limits thereof, as defined by said Act, where Hackney Carriages may stand and ply for Hire, and to make such Orders regulating the Number of such Hackney Carriages to stand in such Places respectively, and the Distances at which they shall stand from each other, and the Times at and during which they may stand and ply for Hire, and such other Orders and Regulations for the better ordering and regulating the said Hackney Carriages, and the Drivers or other the Person or Persons having the Management thereof respectively, as to such Commissioners shall seem proper, and from Time to Time to alter, amend, or repeal such Rules, Orders, and Regulations, and to make others in the Room thereof.

Dublin Carriage.

Date of Act.	Title.	Extent of Repeal.
6 & 7 Wm. IV. c. 117. Local. Declared to be a Public Act.	An Act to amend several Acts relating to the Harbour of Kingstown.	Section 37.—That Portion thereof which empowers the Commissioners of Kingstown Harbour to regulate, amongst other Matters and Things, all public Vehicles and Conveyances frequenting the Piers, Wharfs, and Quays of said Harbour, and the Drivers of same.
Ibid.	Ibid.	Section 43.—That Portion thereof whereby the said Commissioners are invested with all the Powers and Authorities whatsoever for the managing and punishing of Persons having Charge of Coaches, Cars, Carriages, Carts, Drays, or any other Vehicle whatsoever licensed by the Superintendent Magistrate for the Preservation of the Peace within the District of the City of Dublin, or other Person or Persons qualified for that Purpose in the City of Dublin, which are contained in the said Act passed in the Thirty-seventh Year of the Reign of King George III., or which are contained in any other Act or Acts of Parliament in force in Ireland relative to Coaches, Cars, Carriages, Carts, Drays, or any other Vehicles plying in the City of Dublin, its Suburbs, Liberties, and Environs.
Ibid.	Ibid.	Section 47.—That Portion thereof which empowers the said Commissioners to make Byelaws, Rules, Orders, and Regulations for regulating the Conduct and Direction of all Persons who shall frequent the Piers, Wharfs, and Quays of the said Harbour, with Coaches, Cars, Carriages, Carts, Drays, or other Vehicles, and ply the same for Hire.
1 Vict. c. 25. -	An Act to make more effectual Provisions relating to the Police in the District of Dublin Metropolis.	Section 23.—To prevent negligent or wilful Misbehaviour of Drivers of Carriages in the Streets or Highways.
1 & 2 Vict. c. 36. - Local. Declared to be a Public Act.	An Act to make further Provisions, and to amend the Acts relating to the Harbour of Kingstown and the Port and Harbour of Dublin.	Section 11.—That Portion thereof which enables the said Commissioners of Kingstown Harbour from Time to Time to make, alter, or vary Rules, Byelaws, and Regulations as to them may seem fit and expedient, for regulating the Conduct and Direction of all Persons who shall frequent the Piers, Wharfs, and Quays of the said Harbour, with Coaches, Cars, Carriages, Carts, Drays, or other Vehicles, and ply the same for Hire.

Dublin Carriage.

Date of Act	Title.	Extent of Repeal.
2 & 3 Vict. c. 78. -	An Act to make further Provisions relating to the Police in the District of Dublin Metropolis.	Section 12, whereby the Divisional Justices of the Police District of Dublin Metropolis are empowered to exercise all such Rights, Powers, Privileges, Jurisdictions, and Authorities as might theretofore be exercised by the Divisional Justices of the Castle Division in relation to Hackney and other Carriages, or the Owners and Drivers thereof, with respect to Offences by them committed.
5 Vict. s. 2. c. 24.	An Act for improving the Dublin Police.	Sections 11, 12, and 13.
11 & 12 Vict. c. 113.	An Act for the further Amendment of the Acts relating to the Dublin Police.	The whole, with the Exception of Sections 1, 2, and 3.

SCHEDULE (B.)

Containing the Duties imposed by this Act.

For and in respect of every Licence for a Hackney Carriage used or let to Hire within the Limits of this Act, for every such Licence -	£1 4s.	
For and in respect of every Licence for a Job Carriage used or let to Hire within the Limits of this Act, and to be drawn by Two or more Horses, for every such Licence - - - -	£8	
For and in respect of every Licence for a Job Carriage used or let to Hire within the Limits of this Act, and to be drawn by One Horse only, for every such Licence - - - -	£5	
For and in respect of every Licence for a Stage Carriage used or which shall ply within the Limits of this Act, for every such Licence - - - - - - - - -	£8	
For and in respect of every Licence for a Job Horse used or let to Hire within the Limits of this Act, without a Carriage, whether such Horse shall be used or let otherwise or not, for every such Licence - - - - - - - - -	£2	
For and in respect of every Licence for a Cart or Dray used or let to Hire within the Limits of this Act, for every such Licence -	12s.	
For and in respect of every Licence to authorize any Person to act as Driver of any Hackney Carriage, or of any Job Carriage or Horse, or as Driver or Conductor of any Stage Carriage within the Limits of this Act, for every such Licence in the First Year thereof	s. 2	d. 6
And in every succeeding Year,		
For and upon every Renewal of such Licence - - -	1	0

SCHE-

SCHEDULE (C.)

Containing Forms of Licences under this Act.

No. 1.

By the Commissioners of Police of the Police District of Dublin Metropolis
Licence for a

No.

In pursuance of the Powers vested in the Commissioners of Police of the Police District of Dublin Metropolis by an Act of Parliament passed in the Session of Parliament holden in the Years of the Reign of Her present Majesty, intituled [*here insert the Short Title of the Act*], I, the undersigned, being One of the said Commissioners, do hereby grant this Licence, together with a Plate as a Mark of Distinction corresponding in Number therewith, to of in the of Dublin, the said Licence to remain in force (unless revoked or otherwise determined under the Provisions of the said Act) for such Period as the said shall continue to pay the yearly Sum of being the annual Duty to be paid in respect thereof, the said Sum to be paid in [*here insert the Number of Payments*], that is to say [*here insert Periods for Payment of Duty*], in every successive Year, or in default of such Payment this Licence to be null and void and of no Effect; and this Licence shall be produced to the said Commissioners, or One of them, at all Time and Times, and from Time to Time, as the same shall be required or ordered by the said Commissioners, or any One of them, to be produced, and shall be subject to such Laws as are now or hereafter shall be in force for the better Regulation of and the Drivers thereof, and also all such other Rules, Orders, and Byelaws as are now in force or hereafter may be made by the Commissioners of Police for the Time being.

Given under my Hand, this Day of One thousand eight hundred and fifty

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SCHEDULE (C.)

Containing Forms of Licences under this Act.

No. 2.

☞ This Licence, together with the Badge relating thereto, must be delivered up, if not renewed between the Day of and the Day of

Driver *or* Conductor of [*as the Case may be*].

No.

and Victoria, Cap.

Description.	Licence
Age Years. Height Feet Inches. Eyes Hair Complexion	to of to act as Driver of licensed Carriages [*or* Conductor of Stage Carriages, *as the Case may be*,] within the Limits of the Dublin Metropolitan Police District, wearing the Badge No. [*here insert the Manner of wearing Badge.*]

Dated Day of 185

Metropolitan Police Office,
Dublin.

Commissioner.

FORM of ENDORSEMENT of CHANGE of ABODE.

Date.	Memorandum of Change of Abode.		Entered at the Office.
	From	To	

SCHEDULE (E.)

TABLE OF FEES RECEIVABLE UNDER THIS ACT.

	s.	d.
For every Summons - - - - -	1	0
For every Warrant against the Person - - -	1	0
For every Warrant of Distress - - - -	2	0
For every Recognizance to prosecute Appeal - -	2	6
For every Affidavit or Declaration if prepared by Declarant -	0	6
For every Affidavit or Declaration if prepared in Office -	1	0

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1853.

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

to use the Expression "The Common Law Procedure Amendment Act (*Ireland*), 1853."

Repeal of former Acts.

III. From and after the Commencement of this Act, the several Acts and Parts of Acts set forth in the Schedule A. to this Act annexed, so far as the said Acts or Parts of any Act relate to Personal Actions or Actions of Ejectment in the Superior Courts of Law in *Ireland*, and no further or otherwise, and to the Extent to which such Acts or Parts of Acts are by such Schedule expressed to be repealed, are hereby repealed, except as to anything done before the Commencement of this Act, and except so far as may be necessary for the Purpose of supporting and continuing any Proceeding heretofore taken upon any Action brought before the Commencement of this Act, and except as to the Recovery or Application of any Penalty for any Offence which shall have been committed before the Commencement of this Act.

With respect to the Interpretation of Words in this Act:

Interpretation of Terms.

IV. In the Construction of this Act the Word "Court" shall be understood to mean any One of the Superior Courts of Common Law at *Dublin* in which any Action is brought; and the Word "Judge" shall be understood to mean a Judge or Baron of any of the said Courts; and the Word "Master" shall be understood to mean a Master of any of the said Courts; and the Word "Action" shall be understood to mean any Personal Action brought in any of the said Courts; and no Part of the United Kingdom of *Great Britain* and *Ireland*, nor the Islands of *Man*, *Guernsey*, *Jersey*, *Alderney*, or *Sark*, nor any Islands adjacent to any of them, being Part of the Dominions of Her Majesty, shall be deemed to be "beyond the Seas" within the Meaning of this Act; and the Word "County" shall be taken to extend to and include, where necessary and consistent, any City, County of a City, or County of a Town or City, and County of any Place, as the Case may be; and the Word "Party" or "Person" shall extend to and include any Corporation or other public Body; and the Word "Affidavit" shall include an Affirmation or Declaration made by any Person who is empowered to give Evidence by Affirmation or Declaration in lieu of Oath; and no Provision requiring the Affidavit of or any Act to be done by the Attorney, or the Signature of Attorney or Counsel, or Service on the Attorney, shall apply to Cases where the Plaintiff or Defendant shall sue or defend in Person, but all such Acts shall be done by and Notices given to the Party so suing or defending in Person; and wherever in this Act, in describing or referring to any Person or Party, Matter or Thing, any Word importing the Singular Number or Masculine Gender is used, the same shall be understood to include and shall be applicable

to

to several Persons and Parties as well as One Person or Party, and Females as well as Males, and Bodies Corporate as well as Individuals, and several Matters and Things as well as One Matter or Thing, unless it otherwise be provided, or there be something in the Subject or Context repugnant to such Construction.

Form of Action and Commencement.

With respect to the Forms of Action, and the Manner of commencing them:

Special Forms of Personal Actions abolished.

V. The special Forms of Personal Actions heretofore used shall not be necessary, and it shall be sufficient in the Summons and Plaint herein-after mentioned to state a Cause or Ground of Action good in Substance, according to the Provisions of this Act, without framing the Statement in any particular Form, as formerly used or known, such as of Assumpsit, Account, Debt, Covenant, Detinue, Trespass, Trespass on the Case, Trover, or Replevin.

One Form Personal Action and Action of Ejectment.

VI. The Right to recover any Debt or Damages or Personal Chattel, in respect of any Matter of Contract or of Tort, or Taking or Detention, which might have been heretofore the Subject of any Action of Debt, Covenant, Assumpsit, Account, Trespass, Trespass on the Case, Trover, Replevin, or Detinue, shall and may be enforced in an Action to be called a "Personal Action;" and all Actions of "Ejectment" shall henceforth be commenced and prosecuted in the Manner herein-after provided.

Court to have like Jurisdiction as heretofore.

VII. The Court, or any Judge thereof, shall have and exercise, in and about any Matter brought before such Court or Judge, in any such Personal Action or Action of Ejectment, under the Provisions of this Act, the same Jurisdiction, Power, Authority, and Discretion, to all Intents and Purposes, as such Court or Judge could have exercised in an Action for the same Purpose instituted in the Manner heretofore used; and all Orders and Judgments of the said Court or Judge may be enforced by the same Process, and shall be subject to Review by a Court of Error, in the same Manner in all respects, except as herein provided, as if the same had been made in an Action instituted as heretofore used.

Actions to be commenced by Writ of Summons and Plaint.

VIII. All such Personal Actions, whether brought by or against any Person entitled to the Privilege of Peerage or of Parliament, or of the Court in which the Action shall be brought, or of any other Court, or to any other Privilege, or by or against any Corporation or incorporated Body or Company, or by or against any other Person, shall be commenced by a Writ of Summons and Plaint, according to the Form marked No. 1. in the Schedule B. to this Act

Act annexed, and which shall be called a "Writ of Summons and Plaint," and shall be authenticated by the Common Seal of the said Superior Courts, to be thereunto set by the Clerk of the Writs, who shall not be required to sign such Writ, but shall enter the Particulars thereof in the Book to be kept for that Purpose, at the Time of sealing thereof, and such Writ shall bear Date of the Day on which it shall be sealed, and may be sued out at any Time, notwithstanding any Privilege.

Residence and Description of Parties to be mentioned in Writ.

IX. In every such Writ of Summons and Plaint, and Copy thereof, the Names of the Plaintiff and Defendant, the Place of Residence of the Plaintiff, and the Place of Residence or supposed Residence or last known Residence of the Defendant, and such Designation or Description of the Parties respectively as the Plaintiff or his Attorney may be able to give, shall be mentioned, and such Writ shall contain the Names of all the Defendants, and shall not contain the Name or Names of any Defendant or Defendants in more Actions than One.

Form of Plaint.

X. Such Summons and Plaint shall contain a true and succinct Statement of the Plaintiff's Cause or Causes of Action, and if the Plaintiff shall sue, or the Defendant be sued, otherwise than in his own Right, shall also state the Character in which and the Title by which he sues, or in respect of which the Defendant is sued, and shall also state the Relief which the Plaintiff requires, and the Venue or County in which he proposes to have any Issues in Fact tried.

Particulars of Demand and Credits to be endorsed.

XI. The Particulars of the Plaintiff's Demand, where the same shall be a liquidated or Money Demand, and of all Credits to which the Defendant may be entitled, and of the Balance, if any, claimed by the Plaintiff, shall be endorsed on the Summons and Plaint, and on the Copies thereof for Service, unless a detailed Statement of the said Particulars shall have been furnished to the Defendant previously, in which Case it shall be sufficient to make reference to the Statement so furnished, and to mention the Balance claimed to be due on Foot thereof, or unless the said Demand shall consist of so many Items or Particulars that they cannot be conveniently endorsed thereon, in which Case the Plaintiff shall cause Particulars engrossed on Parchment to be annexed to said Summons and Plaint, and Copies thereof, on Parchment or Paper, to be annexed to the Copies of such Summons and Plaint intended for Service, to be incorporated therewith by proper Reference, and shall cause the same to be served on the Defendant, together with the Summons and Plaint, and such Endorsement or Paper annexed shall be considered as Particulars of Demand, and no further or other Particulars need be delivered, unless ordered by the Court or a Judge.

XII. Every

XII. Every Writ of Summons and Plaint shall contain or be endorsed with the Name and Place of Abode of the Attorney actually suing out the same, and in case no Attorney shall be employed to issue the Writ, then it shall contain or be endorsed with a Memorandum expressing that the same has been sued out by the Plaintiff in Person, mentioning the City, Town, or Parish, and also the Name of the Street and Number (if any) of the House of such Plaintiff's Residence, and also, in case the said Plaintiff shall not reside in the City of *Dublin*, mentioning some Place in the said City at which the Debt may be paid, and all Notices and other Proceedings in the Cause may be served.

Writ to be endorsed with Name and Abode of Attorney, or of Plaintiff in Person.

XIII. Every Attorney whose Name shall be mentioned in or endorsed on any Writ of Summons and Plaint issued by Authority of this Act shall, on Demand in Writing made by or on behalf of any Defendant, declare forthwith whether such Writ has been issued by him or with his Authority or Privity, and if he shall answer in the Affirmative, then he shall also, in case the Court or a Judge shall so order, declare in Writing, within a Time to be allowed by such Court or Judge, the Profession, Occupation, or Quality, and Place of Abode of the Plaintiff, on pain of being guilty of a Contempt of the Court into which such Writ shall be returnable; and if such Attorney shall declare that the Writ was not issued by him or with his Authority or Privity, all Proceedings upon the same shall be stayed, and all further Proceedings taken thereupon, without Leave of the Court or a Judge, shall be deemed irregular, and may be set aside accordingly.

Attorney, on Demand, to declare whether Writ issued by his Authority, and to declare Name and Abode of Plaintiff.

XIV. One Duplicate or more of such Summons and Plaint shall be sealed with the Seal of the said Superior Courts, by the said Clerk of the Writs, on Application of the Plaintiff or his Attorney.

Duplicates of Plaint.

XV. All Writs of Summons and Plaint for the Commencement of Actions in the said Courts shall, by the Clerk of the Writs, be entered and appropriated to the several Superior Courts of Law in rotation by Twenty-fives, that is to say, the First Twenty-five for the Queen's Bench, the Second Twenty-five for the Common Pleas, and the Third Twenty-five for the Exchequer, and so on in continuous Rotation of Twenty-fives for the several Courts, so as to produce and keep up an equal Distribution of such Writs; and all subsequent Proceedings in any Action so commenced shall be had and taken in the Court to which the said Writ shall be in the Course of Rotation appropriated, and shall be the Business of the said Court and the Offices thereof: Provided always, that no Objection on the Ground of any Privilege possessed or claimed by any Defendant to be sued in any particular Court shall be valid in any such Action.

Writs for Commencement of Actions to be issued in rotation for the several Courts.

No Objection on ground of Privilege to be valid.

No Writ of Summons to be invalid on account of verbal or technical Error or Omission.

XVI. No Writ of Summons and Plaint issued under the Authority of this Act, or Copy thereof, shall be treated or considered as invalid on account of any verbal or technical Error or Omission in the same, or in any Endorsement on the same; and it shall be lawful for the said Superior Courts of Law respectively, or any Judge thereof, to decide and determine, on any Application respecting such Error or Omission, what is a verbal or technical Error or Omission in any such Writ or Copy, and to amend or authorize the Amendment thereof, or to set aside the same as irregular; but all Errors or Omissions which have not a manifest Tendency to mislead the opposite Party shall in all Cases be deemed merely verbal or technical.

To prevent Doubts from Abolition of Forms of Action.

And whereas the Disuse of the technical Forms of Action heretofore used may give rise to Doubts respecting the Validity of Warrants of Attorney and other Writings wherein Reference is made to such Forms of Action, and also as to the Operation of Statutes of Limitation and other Statutes wherein Actions are described or referred to by the like technical Forms, and it is expedient that such Doubts should be precluded by express Enactment: Be it therefore enacted as follows:

Arrest on Mesne Process.

XVII. Nothing in this Act contained shall interfere with or affect the Provisions of any Act relating to the Arrest of any Defendant on Mesne Process or before Judgment.

Warrants of Attorney and other Writings to remain in force.

XVIII. Warrants of Attorney and other legal Documents of every kind, wherein Reference is made to any particular Form of Action, may be acted upon and enforced by signing Judgment or otherwise, in the Form or Manner authorized by this Act, instead of the Form and Manner agreed upon between the Parties thereto.

Statutes relating to Actions to remain in force.

XIX. All Statutes relating to Actions, or the Pleadings or other Proceedings therein, or preliminary to the bringing of the same, not hereby repealed, or inconsistent with the Provisions of this Act, shall apply and be in force with reference to Actions brought after the Commencement of this Act, notwithstanding that such Actions or the Causes thereof may be described or expressed therein by reference to any particular Form of Action hereby abolished, or that some particular Form or Cause of Action be required to be specified or contained in the said Pleading or Proceeding.

Limitation of Action.

With respect to the Period of Limitation within which Personal Actions shall be brought:

Limitation of certain Actions.

XX. All Actions for Rent upon an Indenture of Demise, all Actions upon any Bond or other Specialty, or upon any Judgment,

ment, Statute Staple, Statute Merchant, or Recognizance, shall be commenced and sued within Twenty Years after the Cause of such Actions or Suits, or the Recovery of such Judgment, but not after; all Actions grounded upon any Lending or Contract, express or implied, without Specialty, or upon any Award, where the Submission is not by Specialty, or for any Money levied on Fieri facias; all Actions of Account or for not accounting, other than for such Accounts as concern the Trade of Merchandise between Merchant and Merchant, their Factors or Servants; all Actions for direct Injuries to Real or Personal Property; Actions for the taking away, Detention, or Conversion of Property, Goods, and Chattels; Actions for Libel, malicious Prosecution and Arrest, Seduction, Criminal Conversation; and Actions for all other Causes which would heretofore have been brought in the Form of Action called Trespass on the Case, except as herein-after excepted, shall be commenced and sued within Six Years after the Cause of such Actions, but not after; and all Actions for Assault, Menace, Battery, Wounding, and Imprisonment shall be commenced and sued within Four Years after the Cause of such Actions, but not after; and all Actions for Words, and for Penalties, Damages, or Sums of Money given to the Party grieved, by any Statute now or hereafter to be in force, shall be commenced and sued within Two Years after the Words spoken or the Cause of such Action or Suit, but not after; and with respect to every Cause of Action not herein specifically provided for, being the Subject Matter of a Personal Action, such Actions in respect thereof shall be brought within the same Period of Limitation now applicable thereto, notwithstanding that such Cause of Action may be described or expressed in such Statutes by reference to any particular Form of Action: Provided that nothing in this Act contained shall alter the Period of Limitation of any Action given by any Statute where the Time for bringing such Action is or shall be by any Statute specially limited.

Limitation after Judgment arrested or reversed.

XXI. If in any of the said Actions Judgment be given for the Plaintiff, and the same be reversed by Error, or a Verdict pass, or, upon Judgment by Default, Damages be assessed for the Plaintiff, and upon Matter alleged in Arrest of Judgment the Judgment be given against the Plaintiff that he take nothing by his Plaint, in all such Cases the Party Plaintiff, his Heirs, Executors, or Administrators, as the Case shall require, may commence a new Action or Suit from Time to Time within the Period of Limitation herein-before provided for in such Action, or within a Year after such Judgment reversed or Judgment given against the Plaintiff, and not after.

XXII. If

Remedy for Disabilities.

XXII. If any Person that is or shall be entitled to any such Action is or shall be at the Time of any such Cause of Action accrued within the Age of Twenty-one Years, a married Woman, of unsound Mind, or beyond the Seas, then such Person shall be at liberty to bring the same Action, so as he commence the same within such Time after the Cessation of such Disability or his Return from beyond the Seas, as other Persons having no such Impediment should, according to the Provisions of this Act, have done; and if any Person or Persons against whom there shall be any such Cause of Action is or shall be at the Time such Cause of Action accrued beyond the Seas, then the Person entitled to any such Cause of Action shall be at liberty to bring the same against such Person, within such Time as is before limited, after the Return of such Person from beyond the Seas.

After Acknowledgment or part Payment on account of Specialty, Judgment, Recognizance, &c.

XXIII. If any Acknowledgment shall have been or shall be made, either by Writing signed by the Party liable by virtue of any Indenture, Specialty, Judgment, Statute Staple, or Statute Merchant, or Recognizance, or his Agent, or by part Payment or part Satisfaction on account of any Principal or Interest being then due thereon, it shall be lawful for the Person entitled to bring his Action for the Money remaining unpaid, and so acknowledged to be due, within Twenty Years after such Acknowledgment by Writing, or part Payment or part Satisfaction as aforesaid, or in case the Person entitled shall at the Time of such Acknowledgment be under such Disability as aforesaid, or the Party making such Acknowledgment be at the Time of making the same beyond the Seas, then within Twenty Years after such Disability shall have ceased as aforesaid, or the Party shall have returned from beyond the Seas, as the Case may be; and the Plaintiff in any such Action on any Indenture, Specialty, Judgment, Statute Staple, or Statute Merchant, or Recognizance, may rely on such Acknowledgment, and that such Action was brought within the Time aforesaid, in answer to a Plea of this Statute.

After Acknowledgment or part Payment in respect of Liabilities on Simple Contract.

XXIV. In Actions grounded upon any Simple Contract no Acknowledgment or Promise shall be deemed sufficient Evidence of a new or continuing Contract, whereby to take any Case out of the Operation of the Provisions of this Act in relation to the Limitation of Actions, or to deprive any Party of the Benefit thereof, unless such Acknowledgment or Promise shall be made or contained by or in some Writing to be signed by the Party chargeable thereby; and where there shall be Two or more Joint Contractors, or Executors or Administrators of any Contractor, no such Joint Contractor, Executor, or Administrator shall lose the Benefit of this Act so as to be chargeable in respect or by reason only of any written Acknowledgment or Promise made and signed by any other or others of them: Provided always, that nothing herein contained shall alter or take away

away or lessen the Effect of any Payment of any Principal or Interest made by any Person whomsoever.

XXV. No Endorsement or Memorandum of any Payment written or made upon any Promissory Note, Bill of Exchange, or other Writing, by or on behalf of the Party to whom such Payment shall be made, shall be deemed sufficient Proof of such Payment so as to take the Case out of the Operation of the Provisions of this Act in relation to the Limitation of Actions.

Indorsement of Payment by Creditor not to take Case out of Statute.

XXVI. This Act shall be deemed and taken to apply to the Case of any Debt alleged by way of Set-off on the Part of any Defendant.

As to Debts alleged by way of Set-off.

XXVII. No Memorandum or other Writing made necessary by this Act shall be deemed to be an Agreement within the Meaning of any Statute relating to the Duties on Stamps.

Memorandums not to require Stamps.

With respect to the Duration and Continuance of Writs to prevent the Operation of any Statute of Limitation:

Continuance of Writs.

XXVIII. No Writ of Summons and Plaint shall be in force for the Purpose of Service for more than Six Calendar Months from the Day of the Date thereof, including the Day of such Date; but if any Defendant therein named shall not have been served therewith, the original or duplicate Writ of Summons and Plaint may be renewed at any Time before its Expiration for Six Calendar Months from the Date of such Renewal, and so from Time to Time during the Currency of the renewed Writ, by being marked with the Common Seal of the Superior Courts, with a Memorandum, signed or initialed by the Officer, of the Date of the Day, Month, and Year of such Renewal Provided always, that no Writ of Summons and Plaint so renewed shall be available to prevent the Operation of any Statute whereby the Time for the Commencement of the Action may be limited, unless such Renewal shall be had by Leave of the Court or a Judge on an Affidavit to satisfy the said Court or a Judge that reasonable Diligence was used to effect Service thereof.

Renewal of Writs of Summons to save the Statute of Limitation, and for other Purposes.

XXIX. Where any Writ of Summons shall have been issued in any Action before and shall be in force at the Commencement of this Act, such Writ may, at any Time before the Expiration thereof, be renewed under the Provisions of and in the Manner directed by this Act; and where any Writ of Summons, or Capias ad respondendum issued in continuation of a preceding Writ, according to the Provisions of an Act passed in a Session of Parliament holden in the Third and Fourth Years of the Reign of Her Majesty the Queen, shall be in force and unexpired, or where One Calendar Month next after the

Renewal of Writs issued before this Act.

Expiration thereof shall not have elapsed at the Commencement of this Act, such continuing Writ may, without being returned non est inventus, or entered of Record, according to the Provisions of the said Act of Her Majesty the Queen, be filed in the proper Office of the Court within One Calendar Month next after the Expiration of such Writ, or within Twenty Days after the Commencement of this Act; and the original Writ of Summons or Capias in such Action may thereupon, but within the same Period of One Month next after the Expiration of the continuing Writ, or within Twenty Days after the Commencement of this Act, be renewed, under the Provisions of and in the Manner directed by this Act; and every such Writ shall after such Renewal have the same Duration and Effect for all Purposes, and shall, if necessary, be subsequently renewed, in the same Manner as if it had originally issued under the Authority of this Act.

Production of renewed Writ Evidence of Commencement of Action.

XXX. The Production of the Writ of Summons and Plaint, purporting to be marked with the Common Seal of the said Superior Courts, and initialed by the said Officer, showing the same to have been renewed according to this Act, shall be sufficient Evidence of its having been so renewed, and of the Commencement of the Action as of the First Date of such renewed Writ, for all Purposes whatsoever.

Service of Writs.

With respect to the Service of such Writs of Summons and Plaint:

Writ may be served in any County.

XXXI. The Writ of Summons and Plaint may be served in any Place or County in which the Defendant may be found within the Jurisdiction of the Court, and not out of said Jurisdiction, unless by an Order of the Court or Judge; and the Person serving the same is hereby required, on the Day of such Service, or at latest on the Day next after, to endorse on the Writ the Place and Day of the Month and Week of the Service thereof, otherwise the Plaintiff shall not be at liberty, in case of no Appearance and Defence, to proceed under this Act; and every Affidavit of Service of such Writ shall mention the Day on which such Endorsement was made.

Service of Summons in ordinary Cases.

XXXII. Service of any Writ of Summons and Plaint on the Defendant shall be effected either by Delivery of a Copy of such Writ to the Defendant in Person, if it be reasonably practicable, and in other Cases, and where it shall appear by the Affidavit of Service herein-after mentioned that such Defendant is personally within the Jurisdiction, and that due and reasonable Diligence has been exercised in endeavouring to effect such Personal Service, and without Effect, in such Case it shall be sufficient to make Service of such Writ by leaving such Copy at the Defendant's House or Place of Residence, or at his Office, Warehouse, Counting-house, Shop, Factory, or Place of Business, with the Wife, Child, Father, Mother, Brother,

or

or Sister of the Defendant, or with any Servant or Clerk of the Defendant, (the Person with whom such Copy shall be left being of the Age of Sixteen Years or upwards,) and showing to such Person the Original or duplicate Original of such Summons and Plaint.

Service on Corporations.

XXXIII. Service of any such Writ of Summons and Plaint issued against a Corporation Aggregate may be effected either by Delivery of a Copy of such Writ to the Mayor or other Head Officer in Person, or to the Town Clerk, Treasurer, or Secretary of such Corporation; and Service of any such Writ issued against the Inhabitants of a Barony, Half Barony, or other like District may be effected by Delivery of such Copy to the Acting High Constable thereof, or any One of the Acting High Constables thereof, in Person; and Service of any such Writ issued against the Inhabitants of any County or any City or Town, or the Inhabitants of any Franchise, Liberty, City, Town, or Place, not being Part of a Barony or other like District, may be effected by Delivery of a Copy thereof to some Peace Officer or other known and responsible Officer thereof, in Person; and if any such Defendants shall not appear and take Defence according to the Exigency of such Writ, in due Time after such Service thereof, upon Affidavit made as herein-after provided of such personal Service of such Writ, and of the Publication of the Notice herein-after provided, it shall be lawful for the Plaintiff to proceed thereon as is herein-after provided: Provided always, that in all such Cases a sufficient Notice of the issuing of the Writ shall be given in the *Dublin Gazette*, and in One of the local Newspapers of the County, City, or District in which the Defendant or Defendants, or the Officer or Agent to be served, shall reside, the Days for filing an Appearance and Defence to run in such Cases from the Day of the Publication of such Notice in the Gazette or Newspaper, whichever shall be the latest.

Courts may direct Substitution of Service.

XXXIV. In case it shall be made to appear by Affidavit, to the Satisfaction of the Court in which the Action is attached, or, in Vacation, of any Judge of any of the said Courts, that any Defendant in any Summons and Plaint, the Cause of Action in respect of which the same shall have issued having arisen within the Jurisdiction of the Court, has not been served with the Writ of Summons and Plaint in the Manner herein-before prescribed, and has not, according to the Exigency thereof, appeared and taken Defence to the Action, and that due and proper Means were used to serve such Writ in the Manner aforesaid, or that such Defendant is out of the Jurisdiction of the Court, and can be properly served through or upon any Agent or Representative, or any Manager of the Real or Personal Estate of such Defendant within such Jurisdiction, or has removed to avoid Service, or on any other good and sufficient Grounds, it shall be lawful

lawful, upon an Application made at any Time while the said Writ shall be in force, for such Court or Judge to authorize such Substitution of Service through the Post Office, or in such Manner and with such Extension of Time for Service and Defence as to them or him shall seem fit; and the Taxing Officer shall allow reasonable Costs on such Proceedings for substituting Service or effecting such Service as the Court shall have directed or deemed good; and in default of an Appearance and Defence by such Defendant in due Time it shall be lawful for the Plaintiff to proceed thereon as is herein-after provided.

Affidavit of Service of Process.

XXXV. An Affidavit of the Service of the Writ of Summons and Plaint in the Manner herein-before prescribed, or in the Manner directed by any such Order for Liberty to substitute Service as aforesaid, shall be made and filed in the Office of the Pleadings Assistant of the Court in which the Action shall be depending, in case it shall become necessary to mark Judgment by Default.

Affidavits in certain Cases may be sworn before a Consul.

XXXVI. Any Affidavit to be used in any of the said Courts may be sworn before any Consul General, Consul, Vice-Consul, or Consular Agent for the Time being appointed by Her Majesty at any Foreign Port or Place; and every Affidavit so sworn by virtue of this Act may be used and shall be admitted in Evidence, saving all just Exceptions, provided it purport to be signed by such Consul General, Consul, Vice-Consul, or Consular Agent, upon Proof of the official Character of the Person appearing to have signed the same; provided, that if any Person shall forge the Signature of any such Affidavit, or shall use or tender in Evidence any such Affidavit with a false or counterfeit Signature thereto, knowing the same to be false and counterfeit, he shall be guilty of Felony, and shall, upon Conviction, be liable to Transportation for Seven Years, or to Imprisonment for any Term not exceeding Three Years nor less than One Year, with Hard Labour; and every Person who shall be charged with committing any Felony under this Act may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence may be laid and charged to have been committed, in the County or Place in which he shall be apprehended or be in Custody; and every Accessory before or after the Fact to any such Offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence laid and charged to have been committed, in any County or Place in which the principal Offender may be tried; provided also, that if any Person shall wilfully and corruptly make a false Affidavit before such Consul General, Consul, Vice-Consul, or Consular Agent, every Person so offending shall be deemed and taken to be guilty of Perjury, in like Manner as if such false Affidavit had been made in *Ireland* before competent

competent Authority, and shall and may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence may be laid and charged to have been committed, in any County or Place in which he shall be apprehended or be in Custody, as if his Offence had been actually committed in that County or Place.

Filing of Plaint.

With respect to the Filing of the Summons and Plaint:

Filing Plaint.

XXXVII. The original or duplicate Summons and Plaint, or a Copy thereof and of the Endorsements thereon, and of the said Particulars, certified by the Attorney for the Plaintiff to be a correct Copy, shall, in order to enforce a Defence thereto within the Period of Time in such Writ mentioned, Four Days at least before the Time for Pleading thereto has expired, be filed with the Pleadings Assistant of the Court in which the Action shall be depending, and such Document shall be deemed to be a Pleading of the Plaintiff, and in lieu and stead of a Declaration; provided, however, that no Summons and Plaint, or Duplicate or Copy, shall be filed as a Pleading, unless the same shall be on Parchment, and sufficiently legible, and in a fit State and Form to be received as a Pleading of the Court; provided also, that in case such Summons and Plaint shall not be filed within the Time aforesaid, it shall be sufficient, for the Purpose of enforcing a Defence thereto after the Filing of the same, to give Notice of the Filing to the Defendant, and such Defendant shall have Eight Days from the Service of such Notice to file his Defence thereto; but in no Case shall the Plaintiff be at liberty to proceed to enforce a Defence after the Expiration of Six Months from the Service of such Summons and Plaint.

Rule for Costs of not filing Summons and Plaint.

XXXVIII. In case the Plaintiff shall neglect to file the original or duplicate Summons and Plaint, or Copy thereof, within Two Months after the Service thereof on the Defendant, unless the Time for filing such Summons and Plaint shall have been extended, such Defendant may, on an Affidavit of the Service thereof and a Certificate of no Summons and Plaint, or Copy, filed, enter a Rule that the Plaintiff do file his Summons and Plaint within Four Days after the Service thereof, or pay to the Defendant such Sum as shall be fixed by the Taxing Officer, subject to the Approval of the Three Chief Judges of the said Courts, as and for his Costs occasioned by being served with such Summons and Plaint, and such Order shall be in lieu and stead and have the Effect of a Judgment of Non Pros for not declaring; and in case the Plaintiff shall, after the Entry of such Rule, file his Summons and Plaint, or Copy, he shall pay to the Defendant his Costs occasioned thereby, upon Demand, not exceeding the Sum of One Pound, or in

default thereof the Defendant may obtain a Rule for the Payment of such Sum and the Costs of such Rule.

Appearance and Defence.

With respect to the Appearance and Defence to the Summons and Plaint:

Appearance and Defence to be filed together.

XXXIX. The Defendant may, within the Time specified in the said Summons and Plaint, or within Eight Days from the Service of the Notice of filing the said Summons and Plaint in manner aforesaid, or at any Time before Judgment, or within such Time as the Court or a Judge may permit, file with the Pleadings Assistant an Appearance and Defence or Demurrer to the said Writ of Summons and Plaint; and such Defence may be according to the Form No. 2. in the Schedule B. to this Act annexed, and shall contain at Foot thereof the Name and registered Residence of the Defendant's Attorney, where the same is pleaded by Attorney, and where it is pleaded in Person the Residence of the Defendant, and in case such Residence shall not be in the City of *Dublin*, shall specify by the Name of the Street and Number of the House some Place within the said City whereat all Notices and Papers relating to the Suit may be served and delivered for the Defendant.

Defence by way of Set-off.

XL. In any Case in which there are mutual Debts between the Plaintiff and Defendant, or if either Party sue or be sued as Executor or Administrator where there are mutual Debts between the Testator or Intestate and either Party, One Debt may be set off against the other, and such Matter may be pleaded in bar of the Action, or of the further Maintenance thereof, or so much of the Debt as it covers, and the Account upon which it became due shall be alleged as in a Summons and Plaint for the same Debt.

Particulars of Set-off to be endorsed.

XLI. In case the Defence shall insist upon any Payment or Set-off, the full Particulars of the same shall be endorsed on the said Defence and on the Copies for Service, unless they are so many that they cannot be conveniently introduced therein, in which Case they shall be annexed thereto and incorporated therewith by a proper Reference.

Rule to plead abolished.

XLII. No Rule to plead shall be necessary, and the Requisition to plead contained in the Summons and Plaint shall be sufficient for that Purpose.

Time for pleading, where Defendant is within Juris-

XLIII. Where the Defendant is within the Jurisdiction, the Time for Appearance and Defence to the Summons and Plaint shall be Twelve clear Days from the Days of the Service thereof, exclusive of Holidays, or Eight Days from the Service of a Notice of filing

filing the Summons and Plaint, whichever Period shall last expire, unless the Court or a Judge shall extend the Time; and the Days for appearing to said Summons and Plaint shall run as well in Vacation as in Term Time, excepting the Days from the First Day of *August* to the Twentieth Day of *October* inclusive.

diction, to be Twelve Days.

XLIV. Where an Amendment of any Summons and Plaint hereby directed to serve as a Declaration is allowed, no new Requisition to plead thereto shall be necessary, but the Defendant shall be bound to plead to the amended Pleading within the Time specified in the original Requisition, or within Two Days after Notice of the Amendment, whichever shall last expire, unless otherwise ordered by the Court or a Judge; and in case the amended Summons and Plaint had been pleaded to before Amendment, and is not pleaded to *de novo* within Two Days after Notice of the Amendment, or such other Time as the Court or a Judge shall allow, the Defence originally pleaded thereto shall stand and be considered as pleaded in answer to such amended Summons and Plaint.

Time for pleading after Amendment.

XLV. Notice of filing such Defence, together with a correct Copy thereof, shall be served on the Plaintiff's Attorney, or on such Plaintiff in case no Attorney shall be employed, and such Defence shall be considered as filed as on the Day on which such Notice and Copy shall be served, pursuant to the Provisions of this Act.

Copies to be served.

XLVI. The Court or a Judge may, in any Case, by an Order made on Motion, direct a further or more detailed Particular of the Items of Demand or Credits referred to in any Summons and Plaint, or of any Payments or Set-off referred to in any Defence, to be furnished; and in any Action for an Injury to Person or Property, the Court or a Judge may order Plans of the Place in which the Injury is alleged to have been committed, or as to which any Justification is pleaded, to be given or exchanged between the Parties; and the Court or a Judge may extend the Time for pleading or making up the Issue, in consequence of the Necessity of such Particulars or further Particulars, on such Terms as shall appear to be just; and where any Party shall require to amend his Particulars, he shall apply to the Court or a Judge for the Purpose.

Further Particulars.

XLVII. In any Case in which it shall appear to the Court or Judge that it would be necessary, for the Purpose of ascertaining the Truth of any Matter in dispute between the Parties in the Action, that an Inspection or Examination of any Premises or Chattels in the Possession or Power of either Party, and in respect of which or some Right or Injury connected with which the said Action shall be brought, should

Inspection and Examination of Premises or Chattels may be ordered by the Court on behalf of either Party.

should be had by the opposite Party, his Attorney, Agent, Witnesses, or by the Jury, it shall be lawful for such Court or Judge to order that the Party in whose Possession or Power the same shall be shall permit an Inspection and Examination of the said Premises or Chattels by the Jury, or by such Person or Persons on behalf of the Party applying, and at such Times and under such Regulations, as to the said Court or Judge shall seem fit.

Form of Pleading.

With respect to the general Form and Character of Pleadings:

No Pleading after Defence.

XLVIII. There shall be no further Pleading after the Defence, except a Demurrer to the Defence or a Replication to a Defence of Set-off or Plea of Matter occurring subsequently to the Commencement of the Action, unless by the Special Leave of the Court or a Judge on an Application to allow such further Pleading, which shall only be allowed in case the real Question or Questions, whether of Fact or Law, between the Parties cannot conveniently be raised and put in Issue by the Amendment of the previous Pleadings.

Replication and subsequent Pleadings.

XLIX. Every Replication and subsequent Pleading shall be pleaded, and Notice of the Filing, with a Copy thereof, shall be served, and the Particulars of any Payments relied upon shall be endorsed or annexed thereto in a similar Manner to that herein-before prescribed in respect of the Defence, so far as the same shall be applicable thereto.

Appointing next Friend for Plaintiff being a Minor or Lunatic.

L. In any Case in which the Plaintiff shall be a Minor or Lunatic, and before the filing of the Summons and Plaint as a Pleading, a Consent in Writing, signed by some fit and proper Person, to act as next Friend to such Minor or Lunatic, together with an Affidavit to verify the Signature of such Person, shall be lodged in the Office of the Clerk of the Rules, who shall thereupon enter a Rule that such Person shall be at liberty to sue as next Friend for such Minor or Lunatic, and the Name of such next Friend shall be mentioned in the said Summons and Plaint as next Friend to said Minor or Lunatic: Provided always, that the Court or a Judge shall and may alter or discharge such Rule in case it shall seem necessary or proper.

Appointing a Guardian for Defendant being a Minor or Lunatic.

LI. In any Case in which a Defendant served with any Summons and Plaint shall be a Minor or Lunatic, the like Proceeding shall be taken to appoint a Guardian to defend for such Minor or Lunatic before filing any Defence or Demurrer, and the Name of the Person so appointed shall be mentioned in the Defence as Guardian to such Minor or Lunatic.

LII. Any

LII. Any Defendant served with any Writ of Summons and Plaint in any Action shall thereupon be deemed to be in Court for the Purpose of making Application to the Court or a Judge to compel the Plaintiff to give Security for Costs, and for other like Purposes: Provided that no Order for Security for Costs shall be made by reason of any Plaintiff being resident out of the Jurisdiction of the Court, at the Instance of any Defendant, unless upon a satisfactory Affidavit that such Defendant has a Defence upon the Merits.

Security for Costs, when and how to be obtained.

LIII. The Forms of Pleading contained in the Schedule C. to this Act annexed shall be sufficient in the Cases to which they apply, and these and the like Forms may be used, with such Modifications as may be necessary to meet the Facts of the Case; but nothing herein contained shall render it erroneous or irregular to depart from the Letter of such Forms, so long as the Substance is expressed without Prolixity.

Forms in Schedule may be adopted.

LIV. Causes of Action, of whatever Kind, (except in Ejectment,) may be joined in the same Summons and Plaint, provided they be by and against the same Parties and in the same Rights, except as herein-after mentioned; but the Court or a Judge shall have Power to prevent the Trial of different Causes together, if such Trial would be inexpedient, and to order separate Records to be made up and separate Trials had.

Different Causes of Action may be joined, but separate Trials may be ordered.

LV. In any Action brought by Husband and Wife for any Cause of Action accruing in respect of the Wife and in respect of which she is necessarily joined as Co-Plaintiff, it shall be lawful for the Husband to add thereto Claims in his own Right, and separate Actions brought in respect of such Claims, if in the same Court, may be consolidated, if the Court or a Judge shall think fit; provided that in the Case of the Death of either Plaintiff such Suit, so far only as relates to the Causes of Action, if any, which do not survive, shall abate.

Joinder of Claims by Husband and Wife, with Claims in right of Husband.

LVI. The Defence and Replication and subsequent Pleadings, if any, shall state all Facts which constitute the Ground of the Defence or Reply in ordinary Language, and without Repetition, and as concisely as is possible consistent with Clearness; and if such Defence or subsequent Pleading is only applicable to a Portion of the preceding Pleading, the Portion to which it is applicable shall be shortly referred to.

Form and Nature of Defence and subsequent Pleadings.

LVII. The Plaintiff in any Action may, by Leave of the Court or a Judge, plead in answer to the Defence or the subsequent Pleading of the Defendant as many several Matters as he shall think necessary to sustain

Several Matters may be pleaded at any Stage of the Pleadings.

sustain his Action; and the Defendant in any Action may, by Leave of the Court or a Judge, plead in answer to the Summons and Plaint or other subsequent Pleading of the Plaintiff as many several Matters as he shall think necessary for his Defence, upon an Affidavit of the Party making such Application or his Attorney, if required by the Court or a Judge, to the effect that he is advised and believes that he has just Ground to traverse the several Matters proposed to be traversed by him, and that the several Matters sought to be pleaded as aforesaid by way of Confession and Avoidance are respectively true in Substance and in Fact.

Certain Defences may be pleaded together without Leave.

LVIII. The following Defences, or any Two or more of them, may be pleaded together as of course, without Leave of the Court or a Judge; that is to say, a Defence denying any Contract or Debt alleged in the Declaration, a Defence of Tender as to Part, a Defence of the Statute of Limitations, Set-off Bankruptcy of the Defendant, Discharge under an Insolvent Act, Plenè administravit, Plenè administravit præter, Infancy, Coverture, Payment, Accord and Satisfaction, Release, a Denial that the Property an Injury to which is complained of is the Plaintiff's, Leave and Licence, Son assault demesne, and any other Pleas which the Judges of the said Superior Courts, or any Eight or more of them, of whom the Chief Judges of the said Courts shall be Three, shall by any Rule or Order to be from Time to Time by them made in Term or Vacation order or direct.

Double Pleas and Demurrer.

LIX. The Defendant may, by Leave of the Court or a Judge, plead and demur, or the Plaintiff may reply and demur, to the same Portion of the Summons and Plaint or Defence at the same Time upon an Affidavit by the Party pleading, or his Attorney, if required by the Court or a Judge, that he is advised and believes all the Objections raised by Demurrer are good and valid Objections in Law, and it shall be in the Discretion of the Court or a Judge to direct which Issue, whether of Fact or Law, shall be first disposed of.

Costs of several Issues.

LX. The Costs of every Issue, whether of Fact or Law, shall follow the Finding or Judgment upon such Issue, and be adjudged to the successful Party, whatever may be the Result of the other Issues; and the Costs of all Issues found for the Defendant shall be deducted from the Plaintiff's Costs, if the Defendant shall proceed with due Diligence to tax the same; and the Costs of all Issues found for the Plaintiff shall be deducted from the Defendant's Costs, if the Plaintiff shall proceed with due Diligence to tax the same; and if said Costs so to be deducted shall not in either Case be taxed in Time for the Purpose of deducting the same from the Costs of the

the opposite Party they shall be separately recoverable by Execution, when taxed and ascertained.

Forms and Fictions abolished.

LXI. No useless Form or Fiction, such as Express Colour or Special Traverse, shall be used, nor shall it be necessary to allege any Matter that need not be proved, regard being had to the Substance and Ground of the Action or Defence.

Venue to be stated only in Margin of Summons and Plaint.

LXII. The Venue in any Personal Action may, except as hereinafter stated, be laid in any County which the Plaintiff thinks proper, and the Name of such County shall be stated in the Margin of the Summons, and shall be taken to be the Venue intended by the Plaintiff, and no Venue shall be stated in the Body of the Summons or in any subsequent Pleading; provided it shall be lawful for the Court or a Judge to order such Venue to be changed by an Amendment of such Summons and Plaint to any other County or County of a City or Town in which the Trial can be more conveniently or properly had, on special Grounds only, and not merely because the Cause of Action accrued in any particular Place or County.

Setting out of Deeds in Pleading.

LXIII. It shall not be necessary for any Party, in his Summons and Plaint or Defence or other Pleading, to set forth more of any Deed or Document than such Parts thereof as are material to his Action or Defence, or the Purport and Effect thereof; and it shall not be necessary to make Profert of such Deed or Document, and if Profert be made it shall not entitle the opposite Party to crave Oyer of or to set out upon Oyer such Deed or other Document.

Production, Inspection, and Copy of Deeds.

LXIV. When any Party shall rely on any Deed or Document, or any Portion thereof, in his Pleading, the said Deed or Document shall be produced upon every Trial and Argument in the Cause, unless its Nonproduction can be satisfactorily excused; and in default thereof it shall be lawful for the Court or Judge before whom such Trial or Argument shall be had to exclude the said Party so in default from all Benefit or Advantage of the said Deed or Document, or to make such Order for the Postponement of the Trial or Argument, and the Payment of the Costs occasioned by the said Postponement, as shall seem to be just; and the opposite Party shall be at liberty, by Notice in Writing, to demand of the Party so relying on the said Deed or Document an Inspection or Copy, or both an Inspection and Copy of the same, including the Names of the Witnesses by whom it was attested, if any, and any Endorsement or Defeasance thereon, and the Production of it for the Purpose of its being stamped, if necessary, and also the Production, Inspection, or Copy of any other Deed or Instrument whereof Inspection could be obtained by a Bill of Discovery; and such

such Copy, when furnished, shall be certified to be a correct Copy by the Attorney furnishing the same; and in case such Copy shall not be delivered, or such Inspection or Production shall not be granted, the Party demanding the same shall be at liberty to apply to the Court or a Judge for an Order for such Copy or Inspection or Production, or Copy and Inspection and Production, as such Judge shall think fit, but such Demand, Notice, or Order shall in no Case operate as a Stay of Proceedings, except when a special Order shall be made by a Judge to that Effect.

Summons and Plaint for Libel or Slander.

LXV. In Actions of Libel and Slander the Plaintiff shall be at liberty to aver that the Words or Matter complained of were used in a defamatory Sense, specifying such alleged defamatory Sense, without any prefatory Averment to show how such Words or Matter were used in that Sense.

Performance of Conditions precedent may be averred generally.

LXVI. The Plaintiff or Defendant in any Action may aver Performance of Conditions precedent generally, and the Defendant shall not deny such Averment generally, but shall specify in his Pleading the Condition or Conditions precedent the Performance of which he intends to contest.

The Process or Adjudication of an inferior Jurisdiction may be pleaded generally.

LXVII. In pleading any Process, Decree, Judgment, or Adjudication of a Court or Officer of special or inferior Jurisdiction it shall not be necessary for the Party pleading or relying on such Process or Adjudication to state in his pleading the Facts or Matters conferring Jurisdiction on such Court or Officer to entertain the Question, or issue such Process, or make such Adjudication, but the same respectively may be stated in such pleading to have been duly entertained or made by such Court or Officer; and if such Statement be controverted, the Party so pleading or relying on such Process, Decree, Judgment, or Adjudication shall on the Trial establish by Proof the Facts and Matters necessary to confer Jurisdiction on such Court or Officer to entertain the Question, or issue such Process, or make such Adjudication so pleaded as aforesaid.

Facts not traversed admitted. Character of Assignees to be taken as admitted, unless denied.

LXVIII. All Facts stated in any Summons and Plaint, and not denied in the Defence, shall be deemed to be admitted for the Purpose of the Suit; and in Actions by and against Assignees of a Bankrupt or Insolvent Debtor, or Executors or Administrators, or Persons authorized by Act of Parliament to sue or be sued as nominal Parties, the Character in which the Plaintiff or Defendant is stated to sue or be sued shall not in any Case be considered as in Issue, unless specially denied.

LXIX. So

LXIX. So much of any Act of Parliament as entitles or permits any Person to plead the General Issue only, and to give special Matter in Evidence, without pleading the same, is hereby repealed, except as to pending Actions: Provided always, that in any Case in which a Defendant by any Act of Parliament is now enabled to plead a Plea of Tender or other Matter, together with a Plea of the General Issue, such Defendant may plead the like Matter separately or with any Defence under this Act.

General Issue by Statute abolished.

LXX. In Actions upon Contract, every Defence by way of Denial must traverse some One or more than One material Matter of Fact, as, for instance, the drawing, or making, or endorsing, or accepting, or presenting, or Notice of Dishonour of a Bill or Note; and every Defence which admits a Contract in Fact, but relies upon Matter of Avoidance or Discharge, or Illegality on the Ground of Fraud or otherwise, as, for instance, Infancy, Coverture, Release, Payment or Performance, Illegality of Consideration, either by Statute or Common Law, drawing, endorsing, accepting Bills or Notes by way of Accommodation, Set-off, mutual Credit, Misrepresentation, Concealment, Deviation, shall be so expressly pleaded.

Defence by way of Denial to traverse some particular Fact.

Defences which admit a Contract in Fact to be pleaded specially.

LXXI. In Actions for Wrongs, Defences by way of Denial shall take issue on some One or more than One material Matter of Fact alleged in the Summons and Plaint; and all Defences which admit the Matter complained of, but rely on Matter of Avoidance, Excuse, or Justification, shall be so expressly pleaded.

Pleas in Actions for Wrongs.

LXXII. A Defence arising after the Commencement of the Action shall be pleaded according to the Fact; and any Defence which does not state whether the Matter therein relied upon arose before or after Action shall be deemed to be a Defence of Matter arising before Action.

Defence of Matter subsequent to Action.

LXXIII. In Cases in which a Plea Puis darrein continuance has heretofore been pleadable in Banco or at Nisi Prius, the same Defence may be pleaded with an Allegation that the Matter arose after the last Pleading, and such Defence may, when necessary, be pleaded at Nisi Prius; but no such Defence shall be allowed unless accompanied by an Affidavit stating that the Matter thereof arose within Eight Days next before the pleading of such Defence, unless the Court or a Judge shall otherwise order.

Defence of Matter subsequent to last Pleading, how to be pleaded.

LXXIV. Payment, whether before Action brought or when made into Court, shall not in any Case be allowed to be given in Evidence in reduction of the Amount to be recovered without being pleaded.

Payment not to be proved in Reduction of Amount without Plea.

LXXV. Any

Payment of Money into Court.

LXXV. Any Defendant, in any Personal Action whatsoever, except Actions for Assault and Battery, false Imprisonment, Libel, Slander, malicious Arrest or Prosecution, Criminal Conversation, or debauching the Plaintiff's Daughter or Servant, and in any Proceeding by Scire facias or Writ of Revivor to have Execution of any Judgment, may pay into Court a Sum of Money by way of Compensation or Amends, or in discharge of the Plaintiff's Demand, or upon any Defence of Tender; and such Payment shall be made by lodging the Money in the Bank of *Ireland* on behalf of the Defendant who shall make such Lodgment, with the Privity of the Master of the Court, and to the Credit of the Cause; and such Master, on the Certificate of such Lodgment being delivered to him, shall give a Receipt for the Amount in the Margin of the Defence.

Drawing Money so lodged.

LXXVI. At any Time before Verdict or Judgment for the Defendant, or peremptory Order for Payment of Costs for not proceeding to Trial, the Plaintiff may, in any Case in which Money has been lodged in Court in discharge of the Plaintiff's Demand, or on a Defence of Tender, apply to the Master of the Court to draw on the Bank of *Ireland* in favour of the Plaintiff for the Sum lodged by the Defendant; and the said Master, on being satisfied by Affidavit or otherwise that a Verdict or Judgment, or peremptory Order for such Payment as aforesaid, for the Defendant has not been had, shall thereupon draw accordingly; but after Verdict or Judgment or peremptory Order aforesaid for the Defendant, the Money shall remain in Court to answer the Defendant's Costs, and the Plaintiff shall not be at liberty to draw the same unless by Order of the Court on Motion.

Taxation of Costs where Money accepted in full Satisfaction.

LXXVII. In case the Plaintiff shall accept the Amount lodged in full Satisfaction of his Demand, the Receipt for the Money given to the Master shall state that it has been so accepted, and the Plaintiff's Costs of Suit shall be taxed and ascertained by the proper Officer; and in case of Nonpayment thereof within Forty-eight Hours after Taxation and Demand the Plaintiff shall be at liberty to enter a peremptory Order for Payment of his Costs of Suit so taxed, and for such further Sum as shall be fixed by the Taxing Officer, subject to the Approval of the Three Chief Judges of the said Courts, as and for his Costs of obtaining such Order.

Issue to try Sufficiency of Payment when declined.

LXXVIII. In case the Plaintiff declines to accept the Sum paid into Court to satisfy the Claim of the Plaintiff in respect of the Matter to which the Plea is pleaded, the Sufficiency of the Payment shall be tried upon the Issue raised for that Purpose by the said Defence, and in case of such Issue being found for the Defendant the Defendant shall be entitled to Judgment and his Costs of Suit.

LXXIX. Any

LXXIX. Any Defence which shall be good in Substance shall not be objectionable on the Ground of its treating the Summons and Plaint as framed either for a Breach of Contract or for a Wrong.

Pleas to Actions partaking both of Breach of Contract and Wrong.

With respect to Objections to Pleadings for formal and other Matters:

Objections by Demurrer.

LXXX. Either Party may object by Demurrer to the Pleading of the opposite Party, for that such Pleading does not set forth sufficient Ground of Action, Defence, or Reply, as the Case may be; and every such Demurrer shall state concisely and explicitly the legal Points or Objections to be relied on, and may be according to the Form No. 3. in the Schedule B. to this Act annexed; and to such Demurrer there shall be no further Pleading.

Objections by Demurrer.

LXXXI. No Objection by way of General or Special Demurrer for formal Matter only shall be allowed, and no Pleading shall be deemed insufficient for any Defect which could heretofore be objected to only by special Demurrer; and wherever Issue shall be joined on any Demurrer the Court shall proceed and give Judgment according to the very Right of the Cause, without regarding any Imperfection, Omission, Defect in or Lack of Form; and every Summons and Plaint and Defence or other Pleading which shall, with reasonable Clearness and Distinctness, state all such Matters of Fact as are necessary to ground the Action, Defence, or Reply, as the Case may be, shall be sufficient, and it shall not be necessary that such Matters shall be stated in any technical or formal Language or Manner.

Pleadings good in substance sufficient.

LXXXII. Judgment on Demurrer for the Defendant, and also for the Plaintiff, in all Cases in which the Action is for a liquidated or Money Demand, shall be final, unless the Court shall give Liberty to amend the Pleading demurred to, or to plead *de novo* on the Argument of the Demurrer, or by any subsequent Order.

Judgment on Demurrer final.

LXXXIII. If any Pleading or Demurrer be so framed as to prejudice, embarrass, or delay the fair Trial of the Action, the opposite Party may apply to the Court or a Judge to strike out or amend such Pleading, and the Court or a Judge shall make such Order respecting the same, and also respecting the Costs of the Application, as to such Court or Judge shall seem fit.

Pleadings framed to embarrass may be amended.

With respect to the Joinder of Parties to Actions:

Joinder of Parties.

LXXXIV. No Plea in Abatement for the Nonjoinder of any Person as a Party, Plaintiff or Defendant, shall be filed without the Leave of the

Nonjoinder or Misjoinder of Parties.

the Court, but such Defect, or the Misjoinder or Misnomer of any Party, may be pointed out by either Party by Notice before the Trial, and such Notice may be followed by a summary Application to the Court or a Judge in respect thereof; upon which Application the said Court or a Judge may make such Order therein, and touching the Costs thereof, as shall seem to be just.

Amendment before Trial of Nonjoinder or Misjoinder of Plaintiff.

LXXXV. It shall be lawful for the Court or a Judge, at any Time before the Trial, to order that any Person or Persons not joined as Plaintiff or Plaintiffs in the Action shall be so joined, or that any Person originally joined as Plaintiff shall be struck out of the Pleadings in the Action, if it shall appear to such Court or Judge that Injustice will not be done by such Amendment, and that the Person to be added consents, either in Person or by Writing under his or her Hand, to be so joined, or that the Person to be struck out was originally introduced without his or her Consent, or that he or she consents in the Manner aforesaid to be so struck out; and such Amendment shall be made upon such Terms as to the Amendment of the Pleadings, Postponement of the Trial, and otherwise, as to the Court or Judge shall seem proper; and when any such Amendment shall have been thereby made, the Liability of any Person who shall have been made Co-Plaintiff shall, subject to any Order to the contrary, be the same as if such Person had been originally joined in such Action.

Amendment at Trial.

LXXXVI. In case it shall appear at the Trial of any Action that there has been a Misjoinder of Plaintiffs, or that some Person or Persons not joined as Plaintiff or Plaintiffs ought to have been so joined, and the Defendant shall not at or before the Time of Pleading have given Notice in Writing that he objects to such Misjoinder or Nonjoinder, specifying therein the Name or Names of such Person or Persons, such Misjoinder or Nonjoinder may be amended by the Court or the Judge or presiding Officer at the Trial, by an Order endorsed on the Abstract of Nisi Prius or Writ of Inquiry, signed by any Member of the Court, or by the said Judge or Officer, if it shall appear to such Court, Judge, or Officer that such Misjoinder or Nonjoinder was not for the Purpose of obtaining an undue Advantage, and that Injustice will not be done by such Amendment, and that the Person or Persons to be added consent, either in Person or by Writing under his, her, or their Hand or Hands, to be so joined, or that the Person or Persons to be struck out were originally introduced without his, her, or their Consent, or that such Person or Persons consent in manner aforesaid to be so struck out in the Manner aforesaid; and such Amendment shall be made upon such Terms as the Court, Judge, or Officer shall think proper; and when any such Amendment shall be made the Liability

Liability of any Person or Persons who shall be added as a Co-Plaintiff or Co-Plaintiffs shall, subject to any Order to the contrary, be the same as if such Person or Persons had been originally joined in such Action.

Upon Notice of Nonjoinder of Plaintiffs, Proceedings may be amended.

LXXXVII. In case such Notice be given by the Defendant of the Nonjoinder of a Person as Co-Plaintiff, the Plaintiff shall be at liberty to enter a Side-bar Order, to amend the Summons and Plaint, and other Proceedings, by adding the Name or Names of the Person or Persons named in such Notice, and to proceed in the Action, on Payment of the Costs of and occasioned by such Amendment only; and in such Case the Defendant shall be at liberty to plead *de novo* when he has pleaded already, and shall have Four Days from the Service of the Notice of such Amendment for the Purpose of pleading as aforesaid.

Proceedings when Nonjoinder of Defendant objected to.

LXXXVIII. Upon any Objection for Nonjoinder of a Defendant being taken by Plea in Abatement, or by Motion to the Court in consequence of such Nonjoinder, it shall be competent to the Plaintiff to show that such Person so omitted is not a necessary Party, or is not resident within the Jurisdiction of the Court, or has been discharged by Bankruptcy or Insolvency, or that the Statute of Limitations would be a Bar to any Action against him.

Upon Notice of Nonjoinder of Defendants Proceedings may be amended.

LXXXIX. In any Action on Contract where the Nonjoinder of any Person or Persons as a Co-Defendant or Co-Defendants has been objected to by Notice or Plea in Abatement, the Plaintiff shall be at liberty to enter a Side-bar Order to amend the Writ of Summons and Plaint by adding the Name or Names of the Person or Persons named in such Notice as Joint Contractors, and to serve the amended Writ upon the Person or Persons so named in such Notice, and to proceed against the original Defendant or Defendants, and the Person or Persons so named in such Notice, provided that the Date of such Amendment shall, as between the Person or Persons so named in such Notice and the Plaintiff, be considered for all Purposes as the Commencement of the Action.

Subsequent Proceedings against the Persons named in a Notice for Nonjoinder of Defendant.

XC. In all Cases after such Notice of Objection or Plea in Abatement in respect of the Nonjoinder of a Party as Defendant, and Amendment in pursuance thereof, if it shall appear upon the Trial of the Action that the Person or Persons so named in such Notice was or were jointly liable with the original Defendant or Defendants, the original Defendant or Defendants shall be entitled, as against the Plaintiff, to the Costs of such Notice and Amendment; but if at such Trial it shall appear that the original Defendant or any of the original Defendants is or

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are liable, but that One or more of the Persons named in such Notice is or are not liable as a contracting Party or Parties, the Plaintiff shall nevertheless be entitled to Judgment against the other Defendant or Defendants who shall appear to be liable, and every Defendant who is not so liable shall have Judgment, and shall be entitled to his Costs as against the Plaintiff, who shall be allowed the same, together with the Costs of the Notice and Amendment, as Costs in the Cause against the original Defendant or Defendants who shall have so objected to the Nonjoinder of such Person: Provided always, that any such Defendant who shall have so objected shall be at liberty on the Trial to adduce Evidence of the Liability of the Defendants named by him in such Notice.

Misjoinder of Defendants may be amended before or at the Trial.

XCI. It shall be lawful for the Court or a Judge in the Case of the Joinder of too many Defendants in any Action on Contract, at any Time before the Trial, to order that the Name or Names of One or more of such Defendants be struck out, if it shall appear to such Court or Judge that Injustice will not be done by such Amendment; and the Amendment shall be made upon such Terms as the Court or Judge by whom such Amendment is made shall think proper; and in case it shall appear at the Trial of any Action on Contract that there has been a Misjoinder of Defendants, such Misjoinder may be amended, as a Variance, at the Trial, in like Manner as the Misjoinder of Plaintiffs has been herein-before authorized to be amended, and upon such Terms as the Court, or Judge or other presiding Officer, by whom such Amendment is made, shall think proper.

Special Cases.

And for the Determination of Questions raised by Consent without pleading, be it enacted as follows:

Questions of Law raised by Consent without pleading.

XCII. The Parties may, after Writ issued, and at any Stage of the Proceedings before Judgment, by Consent and Order of a Judge, state any Question or Questions of Law in a Special Case for the Opinion of the Court, without any further Pleading.

Agreement as to Error and Payment of Money and Costs, according to Judgment upon Special Case.

XCIII. The Parties may, if they think fit, enter into an Agreement in Writing, which shall not be subject to any Stamp Duty, and which shall be embodied in the said or any subsequent Order, that Error may or may not be brought upon the Judgment of the Court on such Special Case, and that upon the Judgment of the Court being given in the Affirmative or Negative of the Question or Questions of Law raised by such Special Case, a Sum of Money, fixed by the Parties, or to be ascertained by the Court, or in such Manner as the Court may direct, shall be paid by one of such Parties to the other of them, either with or without Costs of the Action, such Agreement to be filed in the Master's Office within Ten Days after the

the making thereof; and the Judgment of the Court may be entered for such Sum as shall be so agreed or ascertained, with or without Costs, as the Case may be, and Execution may issue upon such Judgment forthwith, unless otherwise agreed, or unless stayed by Proceedings in Error.

Proceedings in Error upon Special Case.

XCIV. In case it is not agreed that Error may not be brought upon the Judgment of the Court upon such Special Case, either Party may take such Judgment into a Court of Error, in the same Manner, and with all such Proceedings and Consequences, as to Bail, Costs, Restitution, and otherwise, as in the Case of Error brought upon an ordinary Judgment, and the Court of Error before which such Judgment shall be brought shall have the same Power to proceed and give Judgment upon the Question or Questions of Law raised by the Special Case as the Court in which the original Judgment shall have been given.

Costs to follow the Event unless otherwise agreed.

XCV. In case no Agreement shall be entered into as to the Costs in any such Special Case, the Costs shall follow the Event, and be recovered by the successful Party, who shall have Execution for the same.

Judgment by Default.

With respect to Judgment by Default and to Judgment on Demurrer for the Plaintiff, and the Mode of ascertaining the Amount to be recovered thereupon:

Final Judgment may be marked where Demand liquidated.

XCVI. No Rule to compute shall be necessary or used; but where the Plaintiff's Claim is for a Debt or liquidated Demand in Money, with or without Interest, arising upon a Contract, express or implied, in default of such Defence or Demurrer filed within the Time aforesaid by the Defendant, it shall be lawful for the Plaintiff, on filing an Affidavit of the Service of the Writ of Summons and Plaint in the Manner herein-before prescribed, or of such substituted Service as may be authorized as aforesaid, and of the Notice of filing the Summons and Plaint, if any, and Certificate of no Defence filed, to sign final Judgment in the Form No. 4. in the Schedule B. to this Act annexed, on which Judgment no Proceeding in Error shall lie, for any Principal Sum not exceeding the Sum claimed by the said Writ, with legal Interest thereon, and a Sum for Costs, to be fixed by the Taxing Master of the said Superior Courts, subject to the Approval of the Lord Chief Justice of the Queen's Bench, and the other Two Chief Judges of the said Courts, unless the Plaintiff claims more than such fixed Sum, in which Case the Costs shall be taxed in the ordinary Way; but no Costs of such Taxation shall be allowed unless the Costs so taxed shall exceed the Sum so settled and approved of; and the Plaintiff may, upon such Judgment,

Judgment, issue Execution: Provided always, that it shall be lawful for the Court or a Judge to let in the Defendant to defend upon such Terms as to such Court or Judge shall seem proper.

Where only some of the Defendants take Defence.

XCVII. In any Action brought against Two or more Defendants, where the Claim is for a Debt or liquidated Demand in Money, with or without Interest, as last aforesaid, if One or more of such Defendants only shall appear to defend or demur, and another or others of them shall not appear to defend or demur, it shall be lawful for the Plaintiff to sign Judgment against such Defendant or Defendants only as shall not have appeared to defend or demur, and before Issue joined against the other Defendant or Defendants to issue Execution thereupon, in which Case he shall be taken to have abandoned his Action against the Defendant or Defendants who shall have defended or demurred; or the Plaintiff may, before issuing such Execution, proceed against such Defendant or Defendants as shall have filed a Defence or Demurrer, stating, by way of Suggestion, the Judgment obtained against the other Defendant or Defendants who shall not have filed a Defence or Demurrer, in which Case the Judgment so obtained against the Defendant or Defendants who shall not have taken Defence or demurred shall operate and take effect in like Manner as a Judgment by Default obtained before the Commencement of this Act against One or more of several Defendants in an Action of Debt before the Commencement of this Act.

Inquiry of Damages before the Master, where the Claim is Matter of Calculation.

XCVIII. In default of such Defence or Demurrer filed as aforesaid, and in case of Judgment for the Plaintiff on Demurrer, where the Plaintiff's Claim is not for a Debt or liquidated Demand in Money, but it shall appear to the Court or a Judge that the Amount of Damages sought to be recovered by the Plaintiff, although not liquidated in its Nature, is substantially a Matter of Calculation, it shall not be necessary to issue a Writ of Inquiry, but the Court or a Judge may direct that the Amount for which final Judgment is to be signed shall be ascertained by the Master of the Court on Affidavit or by oral Evidence and the Attendance of Witnesses; and the Production of Documents before such Master may be compelled by Subpœna, in the same Manner as before a Jury upon a Writ of Inquiry; and it shall be lawful for such Master to adjourn the Inquiry from Time to Time as Occasion may require: Provided always, that in case the said Master upon any such Reference shall think it proper to have any Fact controverted on the Reference tried by a Jury, in such Case the said Master may sign a Requisition to that Effect, entitled in the Cause, and direct the same to be delivered to the Sheriff of the County of the City of *Dublin* Two Days before the Time

Time when such Jury shall be required, and the Jurors shall be summoned and taken from the List of Persons liable to serve as Jurors in the County of the City of *Dublin*, and the Sheriff shall cause so many of the Jurors as in his Opinion he shall deem sufficient to be summoned, but not less than Six, and such Persons shall attend, and either Party shall be entitled to his lawful Challenge against all or any of the said Jurors, and a Jury consisting of not less than Three shall be returned to try such Fact or Facts as shall seem doubtful to such Master, who shall proceed to make his Report on the Verdict of such Jury as he shall see fit, and such Jury shall be sworn and paid as a Common Jury at Nisi Prius; and the Master shall endorse upon the Rule or Order for referring the Amount of Damages to him the Amount found by him, and shall deliver the Rule or Order, with such Endorsement, to the Plaintiff, and such and the like Proceedings may thereupon be had as to Taxation of Costs, signing Judgment, and staying the signing thereof, and otherwise, as upon the Finding of a Jury upon a Writ of Inquiry.

Master shall examine the Affidavits of Service.

XCIX. It shall be the Duty of the Master of the Court, before he permits any such Judgment by Default to be marked, to see that a proper Affidavit of the Service of the Writ of Summons and Plaint has been filed, and that according to such Affidavit Service of such Writ has been effected in the Manner prescribed by this Act, or in the Manner substituted by the Order of the Court or a Judge as aforesaid.

Ordinary Writ of Inquiry in other Cases.

C. In default of such Defence or Demurrer, and in case of Judgment for the Plaintiff on Demurrer, when the Plaintiff's Demand is not for a Debt or liquidated Sum in Money, and where the Amount of Damages sought to be recovered cannot be calculated as aforesaid, it shall be lawful for the Plaintiff to issue a Writ of Inquiry to the Sheriff of the proper County, or other Person thereunto lawfully authorized, and such Inquiry shall be holden at the Chief Town in the County, or such other Place as shall be agreed on between the Sheriff and the Party delivering the Writ to him, who shall have Ten Days Notice in Writing of the Time and Place of holding such Inquiry; and Notice of the holding of such Inquiry shall also be given by the Plaintiff to the Defendant, or if Judgment be given on Demurrer to his Attorney, Ten Days before the holding of same; and the said Writ of Inquiry may be made returnable and be returned on any Day certain in Term or in Vacation, to be named in such Writ, and upon the Return thereof, and without any Rule for Judgment thereon, the Costs may be taxed and Judgment signed and Execution issued forthwith, unless the Sheriff or other Officer before whom such Writ shall be executed shall certify under his Hand upon such Writ

 that

that Judgment ought not to be signed until the Defendant or Plaintiff shall have had an Opportunity to apply to the Court to set aside the Execution of such Writ of Inquiry, or unless One of the Judges of the said Superior Courts of Law shall think fit to order the Judgment to be stayed until a Day to be named in such Order; provided that where a Writ of Inquiry shall have been sped before a Judge, the Proceedings from the Finding to issuing Execution shall be the same as in the Case of ordinary Trials at Nisi Prius.

Inquiries may be holden before Master of the Court when Venue in Dublin.

CI. It shall be lawful for the Court or a Judge, in any Case in which the Venue in the Action shall be laid in the County or County of the City of *Dublin*, instead of a Writ of Inquiry to the Sheriff to ascertain the Amount of Damages, to direct that the Amount for which final Judgment shall be marked shall be ascertained by the Master of the Court, and thereupon such Damages shall be ascertained by the Master in like Manner as such Damages have been heretofore ascertained under Writ of Inquiry by the Sheriff; and for such Purpose it shall be the Duty of the Sheriff to summon Jurors to attend before the said Masters, who shall have the like Jurisdiction and Authority as have been heretofore exercised by Sheriffs in holding such Inquiries: Provided always, that whenever there is any such Trial by Jury Six Jurymen shall be impannelled and sworn as Occasion shall require to give their Verdict according to the Evidence, and the Verdict of the said Jurymen shall, if unanimous, be sufficient; and it shall be lawful for the Master to adjourn such Inquiry from Time to Time as Occasion may require; and the Master shall endorse on the Rule or Order of Reference the Finding of the said Jury, and shall deliver the same to the Plaintiff, and such and the like Proceedings may thereupon be had as to Taxation of Costs, signing Judgment, and otherwise, as upon a Finding of a Jury upon a Writ of Inquiry to the Sheriff.

Issues and Abstract for Nisi Prius.

With respect to the Settlement of the Issues and Abstract for Nisi Prius:

Abstract of Issues for Nisi Prius to be settled by a Judge.

CII. After Defence or last subsequent Pleading filed, and together with the Notice of Trial, the Plaintiff's Attorney shall furnish to the Defendant's Attorney a Draft of the Abstract of the Pleadings and of the Issues in Fact to be tried at Nisi Prius, according to the Form No. 5. in the Schedule B. to this Act annexed; and in case the Defendant shall not return the same, approved of, within Four Days from the Delivery thereof, the Plaintiff may take out a Summons to settle the same before a Judge, who shall, subject to an Appeal to the Court, settle the same, and shall have Power to adjudicate on the Costs of such Settlement; and such Abstract, so agreed upon or settled, shall be lodged with the Pleadings Assistant of the Court, and an Engrossment of such Abstract, so agreed on or settled,

settled, and prepared by the Plaintiff's Attorney, shall be in place of the Record of Nisi Prius, and the Postea and all other Proceedings at the Trial shall be endorsed thereon, and shall be returnable in the like Manner as heretofore in respect of the Nisi Prius Record.

Time for Notice of Trial and Inquiry.

CIII. Ten Days Notice of Trial or Inquiry shall be given, and shall be sufficient in all Cases, whether at Bar or Nisi Prius, in Town or Country, unless otherwise ordered by the Court or a Judge; and the Expression "Short Notice of Trial" in any Order or Consent shall be taken to mean Four Days.

Notice of Countermand.

CIV. A Countermand of Notice of Trial or Inquiry may be given Four Days before the Time mentioned in the Notice, unless Short Notice of Trial or Inquiry has been given, and then Two Days before the Time mentioned in the Notice of Trial or Inquiry, unless otherwise ordered by the Court or a Judge, or by Consent.

Costs of the Day.

CV. A Rule for Costs of the Day for not proceeding to Trial or Inquiry pursuant to Notice, or not countermanding in sufficient Time, may be drawn up on Affidavit, without Motion, at any Time within One Month after the Day of Trial or Inquiry fixed by the Notice of Trial or Inquiry, and if such Rule be not entered within said Period such Costs shall be Costs in the Cause; provided however that such Rule shall, so long as it remains in force, be an Answer to any Application in respect of any Default in proceeding to Trial.

Default in going to Trial.

With respect to Default in not proceeding to Trial:

Order for Costs for not proceeding to Trial.

CVI. The Plaintiff shall proceed to Trial within Three Terms from that in which, or the Vacation of which, the Defence or other subsequent Pleading is filed; and in default thereof the Defendant may enter a Rule that the Plaintiff do proceed to Trial at the Assizes or Sittings next after the Expiration of Twenty Days from the Service of such Rule, and that in default the Defendant shall be dismissed with his Costs of the Suit; and if the Plaintiff neglects to proceed to Trial in pursuance thereof, the Defendant, on filing an Affidavit of the Service of such Rule, and that the Plaintiff has failed to proceed to Trial in pursuance thereof, may enter a peremptory Order for the Payment of his Costs of the Suit, which Order shall be in lieu and shall have the Effect of a Judgment as in case of a Nonsuit; and the Defendant on producing such Order shall have the Pleadings in the Cause removed into the Office of the Master of the Court for the Purpose of having Execution thereon, and shall have Execution accordingly; provided, however, that the Court

Court or a Judge shall have Power to extend the Time for proceeding to Trial, with or without Terms.

Defendant's Right to try upon Default of the Plaintiff.

CVII. Nothing herein contained shall affect the Right of a Defendant to take down a Cause for Trial, after Default by the Plaintiff to proceed to Trial as aforesaid; and it shall be lawful for the Defendant, after such Default, to proceed to have the Abstract of the Issues settled in the same Manner as the Plaintiff might have done.

Notice of Trial by Defendant.

CVIII. When a Defendant shall be entitled to go to Trial as aforesaid, he may proceed without any Rule or Order for that Purpose, and the same Notice of Trial shall be given as in ordinary Cases, and if Abstracts are entered for Trial both by the Plaintiff and the Defendant, the Defendant's Abstract shall be treated as standing next in order after the Plaintiff's Abstract in the List of Causes, and the Trial of the Cause may take place accordingly.

Jury Process.

With respect to Juries and Jury Process:

Precept by Judges of Assize to summon Jurors for Civil as well as Criminal Trials.

CIX. No Jury Process shall be necessary or used in any Action; but the Precept issued by the Judges of Assize to the Sheriff to summon Jurors for the Assizes shall direct that the Jurors be summoned for the Trial of all Issues, whether civil or criminal, which may come on for Trial at the Assizes, and the Jurors shall thereupon be summoned in like Manner as at present.

A printed Panel to be prepared, and annexed to the Abstract.

CX. A printed Panel of the Jurors summoned shall, Seven Days before the Commission Day, be made by the Sheriff, and kept in the Office of the Returning Officer in *Dublin* for Inspection; and a printed Copy of such Panel on Parchment shall be delivered by the Sheriff to any Party requiring the same, on Payment of a Fee of One Shilling, and such Copy shall be annexed to the Abstract for Nisi Prius.

Sheriffs of Dublin to summon Common Jurors, and prepare a Panel to be annexed to the Abstract.

CXI. The Sheriffs of the County and County of the City of *Dublin* respectively shall, pursuant to a Precept under the Hand of a Judge of any of the said Superior Courts, and without any other Authority, summon a sufficient Number of Common Jurors for the Trial of all Issues in the Superior Courts of Common Law and the Consolidated Nisi Prius Court in like Manner as before this Act; and Seven Days before the First Day of each Sittings a printed Panel of the Jurors so summoned for the Trial of Causes at such Sittings shall be made by such Sheriff, and kept in his Office for public Inspection; and a printed Copy of such Panel shall be delivered by the said Sheriff to any Party requiring the same, on Payment of a Fee of One Shilling, and

and a Copy on Parchment shall be annexed to the Abstract for Nisi Prius; and the said Precept shall and may be in like Form as the Precept issued by the Judges of Assize, and One thereof shall suffice for each Term and after Sittings, and for all the Superior Courts and the said Consolidated Nisi Prius Court; and it shall be the Duty of the said Sheriffs respectively to apply for and procure such Precept to be issued in sufficient Time before each Term to enable them to summon the Persons in manner aforesaid; and it shall be lawful for the several Courts or any Judge thereof at any Time to issue such Precept or Precepts to summon Jurors for disposing of the Business pending in such Courts and in the Consolidated Nisi Prius Court, and to direct the Time and Place for which such Jurors shall be summoned, and all such other Matters as to such Court or Judge shall seem requisite.

Special Jurors summoned to try all Special Jury Cases.

CXII. The Precept issued by the Judges of Assize, and by the Judge of any of the said Superior Courts for Cases in the County and City of *Dublin*, as aforesaid, shall direct the Sheriff to summon a sufficient Number of Special Jurymen to be mentioned therein, not exceeding in Country Cases Forty-eight in all, to try the Special Jury Causes at the Assizes, or in the several Superior Courts of Common Law in *Dublin* respectively; and the Persons summoned in pursuance of such Precept shall be the Jury for trying the Special Jury Causes at the Assizes or after Sittings respectively, subject to such Right of Challenge as the Parties are now by Law entitled to in the like Cases, and subject to the like Liability as to the Payment of the Costs of obtaining such Special Jury; and a printed Panel of the Special Jurors so summoned shall be made, kept, delivered, and annexed to the Abstract of Nisi Prius, in like Time and Manner and upon the same Terms as herein-before provided with reference to the Panel of Common Jurors; and upon the Trial the Special Jury shall be balloted for and called in the Order in which they shall be drawn from the Box, in the same Manner as Common Jurors; provided that the Court or a Judge, in such Case as they or he may think fit, may order that a Special Jury be struck according to the present Practice, and such Order shall be a sufficient Warrant for striking such Special Jury, and making a Panel thereof for the Trial of the particular Cause.

Mode of obtaining a Special Jury.

CXIII. The Plaintiff in any Action, except for the Replevin of Goods, shall be entitled to have the Cause tried by a Special Jury, upon giving Notice in Writing to the Defendant at such Time as would be necessary for a Notice of Trial of his Intention that the Cause shall be so tried, and the Plaintiff in an Action for the Replevin of Goods, and the Defendant in other Cases, shall be so

 entitled,

entitled, on giving the like Notice, within Six Days before the First Day of the Assizes or after Sittings respectively; provided that the Court or a Judge may at any Time order that a Cause shall be tried by a Special Jury, upon such Terms as they or he shall think fit.

Remedy for Delay by Notice of Trial by Special Jury.

CXIV. Where the Defendant in any Case, or Plaintiff in an Action for the Replevin of Goods, gives Notice of his Intention to try the Cause by a Special Jury, the Court or a Judge, if satisfied that such Notice is given for the Purpose of Delay, may order that the Cause be tried by a Common Jury, or make such other Order as to the Trial of the Cause as such Court or Judge shall think fit.

Notice to Sheriff of Trial by Special Jury.

CXV. Where Notice has been given to try by Special Jury, either Party may, Six Days before the First Day of the Sittings in *Dublin*, or Commission Day of the Assizes, give Notice to the Sheriff that such Action is to be tried by a Special Jury; and in case no such Notice be given, or the Notice has not been given in sufficient Time, no Special Jury need be summoned or attend, and the Cause may be tried by a Common Jury, unless otherwise ordered by the Court or a Judge.

View to be by Rule.

CXVI. A Writ or Clause of View shall not be necessary or used, but whether the View is to be had by a Common or Special Jury it shall be sufficient to obtain a Rule of the Court or a Judge's Order directing a View to be had, and directing the Sheriff to have Six or more of the Jurors named in the Panel chosen by Consent, or, if the Parties cannot agree, nominated by the proper Officer of the Court at the Place in question some convenient Time before the Trial; and the Viewers shall have the Place shown to them by Two Persons to be named in the Order, and to be appointed by the Court or a Judge; and the Sheriff, upon Request, shall deliver to either Party the Names of the Viewers, and shall also return their Names to the Registrar, for the Purpose of their being called as Jurymen upon the Trial.

Proceedings before Jurors so returned same as before this Act.

CXVII. The Jurors whose Names are contained in such Panel as aforesaid shall be the Jurors to try the Causes at the Assizes and Sittings for which they shall be summoned respectively; and all such Proceedings may be had and taken before such Juries in like Manner and with the like Consequences in all respects as before or in respect of any Jury summoned in pursuance of any Writ or Writs of Venire facias juratores, Distringas juratores, or Habeas corpora juratorum, before this Act, and also in respect of Persons summoned to appear upon such Juries, and in the event of an insufficient Attendance of Persons summoned and competent to act as Jurors.

With

With respect to Matters of Evidence and the Admission of Documents, be it enacted as follows:

Evidence.

CXVIII. Either Party may call on the other Party, by Notice, to admit any Document, or a Copy thereof, saving all just Exceptions; and in case of Refusal or Neglect to admit within a reasonable Time, the Costs of proving the Document or Copy shall be paid by the Party so neglecting or refusing, whatever the Result of the Cause may be, unless at the Trial the Judge shall certify that the Refusal to admit was reasonable; and no Costs of proving any Document or Copy shall be allowed unless such Notice be given, except in Cases where the Omission to give the Notice is, in the Opinion of the Taxing Officer, a Saving of Expense.

Admission of Documents.

CXIX. An Affidavit of the Attorney in the Cause, or his Clerk, of the due Signature of any Admissions, made in pursuance of such Notice, and annexed to the Affidavit, shall be in all Cases sufficient Evidence of such Admissions.

Proof of Admissions.

CXX. An Affidavit of the Attorney in the Cause, or his Clerk, of the Service of any Notice to produce, in respect of which Notice to admit shall have been given, and of the Time when it was served, with a Copy of such Notice annexed to such Affidavit, shall be sufficient Evidence of the Service of the Original of such Notice, and of the Time when it was served.

Proof of Notice to produce.

With respect to Bills of Exception, be it enacted as follows:

Bills of Exceptions.

CXXI. Every Bill of Exceptions may be according to the Form No. 6. in the Schedule B. to this Act annexed; and it shall be lawful, by Consent of the Parties, or Order of the Judge, to incorporate any Deed or Document therewith, by an appropriate Reference to such Deed or Document, without setting forth the same.

Bill of Exceptions not to set forth the Pleadings.

With respect to the Form and Manner of entering Judgment:

Judgment.

CXXII. No Judgment shall be arrested or stayed or reversed by reason of any Imperfection, Omission, Defect in or Lack of Form in any Summons and Plaint, Defence, or other Pleading or Proceeding, nor by reason that the Venue is misplaced, or the Trial had in a wrong County or Place, nor by reason of any Misnomer of any of the Jurors who tried the Case in Name, Surname, or Addition, so as it appear to the Court to be the same Man that was meant to be returned, nor by reason that the Plaintiff or Defendant, being under the Age of Twenty-one Years, did sue or defend by Attorney.

Judgment not to be arrested on technical Grounds.

CXXIII. It

Entry of Judgment on the Roll unnecessary for Execution.

CXXIII. It shall not be necessary, before issuing Execution upon any Judgment under the Authority of this Act, to enter the Proceedings upon any Roll, but on producing, and lodging with the proper Officer, a Certificate of the Name, Description, and Address of the Parties, an Entry shall be made in the Judgment Book, signed by the Master, shortly stating the Nature of the Judgment, and thereupon the Costs shall be taxed, and Execution issued, according to the Practice heretofore used, and the Effect of every such Entry of a Judgment shall be the same as that of a Judgment in an Action in the Form heretofore used; and such Entry in the said Judgment Book shall contain a Reference to the Number of the Roll on which such Judgment shall be enrolled, and shall contain a Column in which any Satisfaction of the said Judgment may be afterwards entered, if necessary.

When Judgment to be made up, Summary of Pleadings to be lodged, and Judgment marked thereon.

CXXIV. When it shall be required to sign any Judgment, the Attorney requiring the same shall deliver to the proper Officer a correct Summary or Recital of the Proceedings, briefly stating the several Pleadings, and the Nature thereof, written fairly on Parchment, and signed by the Attorney, and thereupon the Officer shall take off from the Pleadings File the several Pleadings in the Cause in which such Judgment shall be required to be made up, and shall place them, together with the said Summary prefixed, in consecutive Order upon the File of Judgments, in the Manner now used, or as may be hereafter directed by any general Order of the Judges, there to be kept as the permanent Records of the Court, and shall upon the said Summary give the proper Award of Judgment; and it shall in all Cases of enrolling Judgments be sufficient to place on the Roll a correct Copy of the said Summary or Recital of the Proceedings according to Fact, together with the Award of Judgment in proper Form, with a Reference to the original Pleadings on the Judgment File, whereby the same may be immediately found and inspected; and no Judgment so enrolled under the Authority of this Act shall be liable to be disturbed on the Ground of Error, on account of any Omissions hereby authorized: Provided always, that if it shall be deemed necessary, for the Prosecution of any Proceeding in Error or for any other Purpose, it shall be lawful for the Court to order that the whole or any Part of the Pleadings shall be transcribed upon the Roll, and the same shall be transcribed by the proper Officer accordingly.

Judgment for Money Demands without Dis-

CXXV. In all Actions where the Plaintiff recovers a Sum of Money, the Amount which he is entitled to may be awarded to him by the Judgment generally, without any Distinction being therein made

made as to whether such Sum is recovered by way of a Debt or Damages.

tinction between Debt or Damages.

CXXVI. In all Actions for a Trespass on Lands or Tenements, Assault and Battery, or for Slander, the Plaintiff in such Action, in case the Jury shall find the Damages to be under the Value of Forty Shillings, shall not recover or obtain more Costs of Suit than the Damages so found shall amount unto, unless the Judge at the Trial shall certify under his Hand, on the Back of the Abstract for Nisi Prius, that the Assault and Battery was sufficiently proved by the Plaintiff against the Defendant, or that the Freehold or Title of the Land mentioned in the Plaint was chiefly in question, or that the Trespass was voluntary or malicious.

Award of Costs in vexatious Actions.

With respect to Execution:

Execution.

CXXVII. A Plaintiff or Defendant, having obtained a Verdict or Nonsuit in a Cause tried out of Term, shall be entitled, without any Rule on the Postea or Inquisition, to mark Judgment and to issue Execution in Fourteen Days, and in a Cause tried in Term in Four Days, unless the Judge who tries the Cause, or some other Judge, or the Court, shall order Execution to issue at an earlier or later Period, with or without Terms; and it shall be lawful for the said Judge before whom the Trial has been had, or any other Judge, or the Court, to make such Order accordingly: Provided that, notwithstanding any Judgment signed or recorded or Execution issued by virtue of this Act, it shall be lawful for the Court in which such Action shall have been brought to order such Judgment to be vacated, and Execution to be stayed or set aside, and to enter an Arrest of Judgment, or grant a new Trial or new Writ of Inquiry, as Justice may appear to require, and thereupon the Party affected by such Execution shall be restored to all he may have lost thereby in such Manner as upon the Reversal of a Judgment by a Proceeding in Error, or otherwise as the Court may think fit to direct.

Execution after Trial.

CXXVIII. Any Writ of Execution, except a Writ of Habere facias possessionem, or other Writ of Possession, may be directed, in the first instance, to the Sheriff of any County, or County of a City, or other Shrievalty, as the Party suing out the same may think fit, without Reference to the County in which the Venue is laid, and without any Suggestion of the issuing of a prior Writ into such County.

Execution may issue to any County.

CXXIX. When any Execution is demanded, the Party demanding the same shall lodge with the Officer required to issue such Writ a

Execution to issue for the Amount really due.

Certificate

Certificate signed by the Party or his Attorney containing such Sum as the Party demands to be in good Conscience due to him after all just and equitable Deductions, which Certificate shall be filed in the Office, and the Sum mentioned therein entered in the Book wherein Executions are entered, and also in the Body of the said Execution that shall issue, as the Sum to be levied on Foot of the Sum adjudged by the Judgment or Order of the Court; and if the Party at whose Suit such Execution issues shall appear wilfully, fraudulently, and maliciously to have overcharged the Party against whom such Execution issues, in such Case he shall forfeit to the Party grieved Treble Damages.

Expenses of Execution.

CXXX. In every Case of Execution, the Party entitled to Execution may levy the Poundage Fees and Expenses of the Execution by Law payable over and above the Sum recovered.

Sheriff empowered to seize Money, Bank Notes, &c., and to pay Money or Bank Notes to Execution Creditor.

CXXXI. Under any Writ of Fieri facias may be seized and taken any Money or Bank Notes (whether of the Governor and Company of the Bank of *Ireland*, or of any other Bank or Bankers), and any Cheques, Bills of Exchange, Promissory Notes, Bonds, Specialties, or other Securities for Money, belonging to the Person against whose Effects such Writ of Fieri facias shall be sued out; and the Sheriff or other Officer shall pay or deliver to the Party suing out such Execution any Money or Bank Notes which shall be so seized, or a sufficient Part thereof, and shall hold any such Cheques, Bills of Exchange, Promissory Notes, Bonds, Specialties, or other Securities for Money as a Security or Securities for the Amount by such Writ of Fieri facias directed to be levied, or so much thereof as shall not have been otherwise levied and raised, and may sue in the Name of such Sheriff or other Officer for the Recovery of the Sum or Sums secured thereby, when the Time of Payment thereof shall have arrived; and the Payment to such Sheriff or other Officer by the Party liable, with or without Suit, or the Recovery and levying Execution against the Party so liable, shall discharge him to the Extent of such Payment, or of such Recovery and Levy in Execution, as the Case may be, from his Liability on any such Cheque, Bill of Exchange, Promissory Note, Bond, Specialty, or other Security; and such Sheriff or other Officer may and shall pay over to the Party suing out such Writ the Money so to be recovered, or such Part thereof as shall be sufficient to discharge the Amount by such Writ directed to be levied; and if, after Satisfaction of the Amount so to be levied, together with Sheriff's Poundage and Expenses, any Surplus shall remain in the Hands of such Sheriff or other Officer, the same shall be paid to the Party against whom such Writ shall be so issued: Provided that no such Sheriff or other Officer

Officer shall be bound to sue any Party liable upon any such Cheque, Bill of Exchange, Promissory Note, Bond, Specialty, or other Security, unless the Party suing out such Execution shall enter into a Bond, with Two sufficient Sureties, for indemnifying him from all Costs and Expenses to be incurred in the Prosecution of such Action, or to which he may become liable in consequence thereof, the Amount of such Bond or the Sufficiency of such Sureties, or such Amount and such Sufficiency, to be determined by the Master of the Court in which such Action shall be brought, or, if the Court shall so order, by a Commissioner of such Court authorized to take Special Bail, and the Expense of such Bond to be deducted out of any Money to be recovered in such Action.

Attachment of Government and Public Stock and Shares.

CXXXII. If any Person against whom such Judgment shall be entered as aforesaid shall have any Government Stock, Funds, or Annuities, or any Stock or Shares in any public Company in *Ireland*, whether incorporated or not, and standing in his own Name and in his own Right, or in the Name of any Person in trust for him, or any Interest in the Dividends, Interest, or annual Produce of such Stock, Funds, Annuities, or Shares, it shall be lawful for the Court or a Judge, on Application of the Party having recovered such Judgment, to make an Order *ex parte* in the Form No. 7. in the Schedule B. to this Act annexed, to attach such Stock, Funds, Annuities, or Shares, and such Dividends, Interest, or annual Produce shall be attached in the Books of the Governor and Company of the Bank of *Ireland* or any public Company, to answer the Purposes of such Execution, and such Stock, Funds, Annuities, and Shares shall not be suffered to be transferred, nor shall such Dividends, Interest, or annual Produce be paid, until such Order of Attachment shall be withdrawn or discharged or disposed of, and no Disposition in the meanwhile of such Debtor shall be valid or effectual as against such Party recovering such Judgment and obtaining such Order of Attachment.

Order for Transfer and Payment.

CXXXIII. A Copy of such Order of Attachment shall be served on the Debtor or his Attorney or Agent, and unless the said Debtor or some other Person interested shall within the Space of Twenty Days from the Service of such Order of Attachment and Copy, or from the Date of the last Service, or such other Time as the Court or a Judge may think reasonable, show sufficient Cause to the contrary, it shall be lawful for the Court or a Judge, if he shall so think fit, on Proof of the Service of such Order of Attachment and Copy, to make an Order on all Persons, Corporations, and public Companies whose Act or Consent is thereto necessary, to transfer the said Government Stock, Funds, Annuities, or Shares belonging to the said

said Judgment Debtor, and standing in his own Name, or in the Name of any Trustee for him for his own Benefit, into the Name of the said Sheriff or other Officer as aforesaid, or to make Payment of such Dividends, Interest, and annual Produce to said Sheriff, and all such Persons whose Act or Consent is so necessary as aforesaid are hereby required to obey such Order, and are indemnified for all Things done or permitted pursuant to such Order: Provided also, that it shall be lawful for such Court or a Judge, on the Application of the Debtor or any Person interested, to discharge or vary such Order for Attachment, and to award such Costs, on such Application, as to the said Court or a Judge shall seem just.

Charging Order on contingent and future Interests.

CXXXIV. If such Debtor shall have an Interest in any such Stock, Funds, Annuities, or Shares, or the Dividends, Interest, and annual Produce thereof, not vested or in possession, but contingent or in remainder or reversion, it shall be lawful for the Court or a Judge, on a like Application, to be made by the Party obtaining such Judgment, to make an Order *ex parte* that such Stock, Funds, Annuities, Shares, Dividends, Interest, or annual Produce, or a competent Part thereof, shall stand charged with the Payment of the Amount for which such Judgment shall have been recovered, and Interest on so much as shall remain unsatisfied, unless satisfactory Cause shall be shown to the contrary by the said Debtor or some other Person interested, within a Time to be named in said Order, and a Copy of such Order shall be served on the Debtor or his Attorney or Agent; and unless Cause shall be shown to the contrary within the Time specified in such Order, or such Time as the Court or a Judge may think proper, it shall be lawful for the Court or a Judge, if it shall so think fit, on Proof of the Service of such Order, to make same absolute; and such Order shall entitle the Creditor to all such Remedies as he would have been entitled to if such Charge had been made in his Favour by the Debtor: Provided that such Court or a Judge shall, on the Application of such Debtor, or any Person interested, have full Power to discharge or vary such Order, and to award such Costs, upon such Application as the Court or a Judge may think fit.

Order in respect of Money in Name of Accountant General.

CXXXV. If such Debtor shall have an Estate or Interest in any Stock, Funds, Annuities, or Shares, or Money, which shall be standing in the Name of the Accountant General of the Court of Chancery, or of the Court of the Commissioners for the Sale of Incumbered Estates in *Ireland*, or of the Master of any such Superior Court of Common Law, or in the Dividends, Interest, or annual Produce thereof, it shall be lawful for the Court or a Judge to make such Order as to such Stock, Funds, Annuities, Shares, and the Dividends,

Dividends, Interest, and annual Produce thereof, as if the same had been standing in the Name of a Trustee for such Judgment Debtor; but no such Order shall prevent the said Governor and Company of the Bank of *Ireland* or any such public Company from permitting any Transfer of such Stock, Funds, Annuities, and Shares, or Money, or the Payment of the Dividends, Interest, or annual Produce thereof, in such Manner as the said Court of Chancery, or the Commissioners for the Sale of Incumbered Estates in *Ireland*, or the Court of Common Law may direct: Provided, however, that it shall be lawful for the said Court of Chancery or Court of Common Law, or the said Court of the Commissioners for the Sale of Incumbered Estates, on the Application of the Judgment Creditor, to make such Order in respect of same as shall be just.

Execution against Beneficed Clergymen.

CXXXVI. Where to a Writ of Fieri facias issued against a Beneficed Clergyman the Sheriff shall have returned Nulla bona, and that the Defendant is a Beneficed Clerk having no Lay Fee, the Plaintiff may as of course issue a Writ of Execution De bonis ecclesiasticis, directed to the Bishop of any Diocese in which the Defendant may have a Benefice, and at any Time after a Writ of Execution De bonis ecclesiasticis shall have been delivered to any Bishop the Plaintiff may apply to the Court by Motion for an Order that the Bishop do certify what has been done under the Writ, and that the Sequestrator do account; and where, in obedience to any such Writ of Fieri facias, De bonis ecclesiasticis, a Sequestration of the Ecclesiastical Benefice shall be issued by any Bishop, it shall be lawful for any Court in which any Judgment shall be had against the same Defendant, and Execution issued and returned Nulla bona, to make an Order extending the said Sequestration to the Matter of the said last-mentioned Judgment, without any further Writ or Proceeding; and the said last-mentioned Creditor shall have the Benefit of such Sequestration, and with Priority as from the Date of such Order of Extension, as if it were a Sequestration issued at his own Instance.

Return of Devastavit not to be made but on Finding of Jury.

CXXXVII. No Sheriff or other Officer shall return a Devastavit against any Defendant, being an Executor or Administrator, in any Action, but upon an Inquisition taken on the Oaths of Twelve lawful Men of his County, to whom Challenge may be taken; and the Plaintiff shall give the Defendant Ten Days previous Notice of the taking of such Inquisition, and of the Time and Place of taking same; and upon the Return of such Devastavit the Plaintiff shall be entitled to immediate Execution De bonis propriis, without further Rule or Judgment.

Detainer of a Prisoner in Execution.

CXXXVIII. It shall not be necessary in any Case to sue out a Writ of Habeas corpus ad satisfaciendum to charge in Execution any

Person already in the Prison of the Court, but such Person may be so charged in Execution by a Side-bar Order upon an Affidavit that Judgment has been signed and is not satisfied, and the Service of such Order upon the Keeper of the Prison for the Time being shall have the Effect of a Detainer.

Discharge of a Prisoner from Execution.

CXXXIX. A Plaintiff or Defendant arrested under any Writ of Capias ad satisfaciendum shall be entitled to his Discharge from such Arrest, on Payment or Tender to the opposite Party or his Attorney in the Cause, or to the Sheriff or Gaoler in whose Custody such Person may be under such Writ, of the Amount directed to be levied by such Writ.

Sheriff or Gaoler may discharge Prisoner by Authority of Attorney in the Cause.

CXL. A written Order under the Hand of the Attorney in the Cause, by whom any Writ of Capias ad satisfaciendum shall have been issued, shall justify the Sheriff, Gaoler, or Person in whose Custody the Party may be under such Writ in discharging such Party, unless the Party for whom such Attorney professes to act shall have given written Notice to the contrary to such Sheriff, Gaoler, or Person in whose Custody the opposite Party may be, but such Discharge shall not be a Satisfaction of the Debt, unless made by the Authority of the Creditor; and nothing herein contained shall justify any Attorney in giving such Order for Discharge without the Consent of his Client.

Renewal of Execution.

CXLI. A Writ of Execution, after the Commencement of this Act, if unexecuted, shall not remain in force for more than One Year from the Date of such Writ, unless renewed in the Manner herein-after provided, but such Writ may at any Time before its Expiration be renewed by the Party issuing it for One Year from the Date of such Renewal, and so on from Time to Time during the Continuance of the renewed Writ, by being marked with the Seal of the Court, and with a Memorandum, signed or initialed by the Officer, of the Date of the Day, Month, and Year of such Renewal, such Seal to be provided and kept for that Purpose in the Office of the Master of the Court out of which such Writ issued, or by such Party giving a written Notice of Renewal to the Sheriff, signed by the Party or his Attorney, and bearing the like Seal of the Court, and Memorandum signed or initialed by the Officer as aforesaid; and a Writ of Execution so renewed shall have Effect and be entitled to the same Priority as the original Writ would have had: Provided, however, that no Writ of Habere shall be renewed without the special Leave of the Court or a Judge.

Production of renewed Writ Evi-

CXLII. The Production of a Writ of Execution, or of the Notice renewing the same, purporting to be marked with such Seal, and initialed

initialed as aforesaid, showing the same to have been renewed according to this Act, shall be sufficient Evidence of its having been so renewed.

dence of Renewal.

CXLIII. When any Party who shall have recovered Judgment in any of the said Courts, or his personal Representative or legal Assignee, shall be willing to cause an Entry of Satisfaction thereof, or a Memorandum of part Payment, to be entered on the Record, such Party shall execute a Satisfaction Piece according to the Form No. 8. in the Schedule B. to this Act annexed (which Satisfaction Piece shall not be subject to any Stamp Duty); and such Satisfaction Piece shall be executed in the Presence of One Witness, who shall attest by Affidavit the Execution of the same; and thereupon it shall be lawful for any Attorney of the said Court employed for that Purpose to require the proper Officer to enter Satisfaction or a Memorandum of part Payment on the Record of such Judgment; and such Officer shall, on having such Satisfaction Piece verified as aforesaid, and such Requisition lodged with him, enter such Satisfaction or a Memorandum of part Payment on the Record accordingly.

Satisfaction of Judgments by Party.

CXLIV. It shall be lawful for the Court or a Judge to order a Memorandum of Satisfaction to be entered upon the Record of any Judgment, Judgment Roll, or Judgment Book, if it shall clearly appear to the said Court or Judge that the Debt or Damages for which the said Judgment was obtained have been fully satisfied and discharged.

Court may order Satisfaction to be entered on Judgment fully paid.

With respect to the Assignment and Suggestion of Breaches on Covenants and Agreements for Payment of any penal Sum:

Assignment of Breaches.

CXLV. In any Action on any Bond, Covenant, or Agreement for Payment of any penal Sum for Nonperformance of any Covenant or Agreement contained in any Deed or Writing, and whether accompanied by Warrant of Attorney or not, the Plaintiff may assign One or more than One Breach of such Covenant or Agreement in his Summons and Plaint.

Assignment of Breaches on penal Covenant.

CXLVI. In all such Actions as last aforesaid the Jury or the Master shall ascertain the Damages in respect of such Breach or Breaches as shall be proved or admitted, and Judgment shall be entered for the full Amount of such Penalty, with an Award of the Payment of the Damages assessed, if any; and in case the Defendant shall pay into Court to the Credit of the Cause the Damages so assessed by the Jury or the Master, with the Costs of Suit, a Stay of Execution shall be entered on the Record of such Judgment for that

Damages on Breaches to be ascertained.

that Time; and in case the Plaintiff shall be paid or satisfied the said Damages so assessed, or the penal Sum aforesaid, at the Election of the Defendant, with the Costs of Suit aforesaid, and of Execution, the Defendant shall be discharged from such Execution entirely, or for that Time, and for the Amount so paid according as the Case may be, and such Discharge may be entered on the Record of said Judgment; but in case the said Damages do not amount to the said penal Sum, such Judgment shall still remain in full Force as a further Security to answer the Plaintiff, his Executors and Administrators, all such Damages as may be afterwards sustained by reason of any further Breach of any Covenant or Agreement in said Deed or Writing, as far as the Remainder of such penal Sum, after the Payment of the Damages formerly recovered out of the same, will reach.

Suggestion of further Breaches and Execution on same.

CXLVII. In all such Actions as last aforesaid, in case Judgment shall pass for the Plaintiff, and the full Amount thereof and the Costs of Suit shall not have been paid or levied, and afterwards any further Breach or Breaches shall happen, the Plaintiff shall be at liberty to file One or more than One Suggestion of such Breaches in the Form No. 9. in the Schedule B. to this Act annexed, or to the like Effect, and such Suggestion shall be pleaded to, and the Truth of the Matters therein suggested shall be tried and Damages awarded, and Judgment and Execution shall be given in like Manner, as if the same were on Summons and Plaint; and upon Payment or Satisfaction of such further Damages and Costs further Proceedings shall be stayed for that Time; and so from Time to Time, as often as Occasion may require, on every new Breach, the said Judgment may be resorted to, so far as aforesaid, and no further; and upon Payment or Satisfaction made to the full Amount of said penal Sum and Costs as aforesaid the said Defendant, his Body, Lands, and Goods, shall be discharged of all Execution in respect of the same.

Proceedings to revive.

And with respect to the Time within which Execution may be issued, and the Proceedings for the Revival of Judgments and other Proceedings by and against Persons not Parties to the Record, be it enacted as follows:

Execution without Revival.

CXLVIII. Writs of Execution may be issued, at any Time within Six Years after the Recovery of the Judgment, by or against the Plaintiffs or Defendants, or the Survivors of them, without any Revival of such Judgment.

Judgment to be revived by Suggestion.

CXLIX. In case it shall become necessary to revive a Judgment by reason of Lapse of Time or of a Change, by Death or otherwise, of the Parties entitled or liable to Execution, the Party alleging himself

to be entitled to Execution may apply to the Court or a Judge, on an Affidavit ascertaining the Amount due, for Leave to enter a Suggestion upon the Record of the Judgment to the Effect that it manifestly appears to the Court that such Party is entitled to have Execution of the Judgment for the said Sum, and to issue Execution thereupon for the same, such Leave to be granted by the Court or a Judge upon such Terms and in such Manner as to the Court or a Judge shall seem fit.

Application for Suggestion.

CL. Upon such Application, in case it manifestly appears that the Party making the same is entitled to Execution, the Court or Judge shall allow such Suggestion as aforesaid to be entered in the Form No. 10. contained in the Schedule B. to this Act annexed, or to the like Effect, and Execution to issue thereupon for the Amount actually due, and shall order whether or not the Costs of such Application shall be paid to the Party making the same; and in case the said Costs shall be so ordered to the Party making the Application they shall be Costs in the Cause; and in case it does not manifestly appear, the Court or Judge shall refuse such Application, with or without Costs: Provided nevertheless, that in such last-mentioned Case the Party making such Application shall be at liberty to proceed by Revivor or Action upon the Judgment.

Writ of Revivor, and Proceedings thereunder.

CLI. In all Cases in which it shall become necessary to revive a Judgment the Party alleging himself to be entitled to Execution may sue out a Writ of Revivor, and such Writ of Revivor shall be directed to the Party called upon to show Cause why Execution should not be awarded for the Amount claimed to be due, and shall bear Date on the Day of its issuing, and after reciting the Reason why such Writ has become necessary it shall call upon the Party to whom it is directed to appear, within Eight Days after Service thereof in the Court out of which it issues, to show Cause why the Party at whose Instance such Writ has been issued should not have Execution against the Party to whom such Writ is directed for the Amount claimed to be due, and shall give Notice that in default of Defence the Party issuing such Writ may proceed to Execution for such Amount, together with the Costs of such Proceeding; and such Writ may be in the Form No. 11. contained in the Schedule B. to this Act annexed, or to the like Effect, and may be served in any County, and otherwise proceeded upon, whether in Term or Vacation, in the same Manner as a Writ of Summons and Plaint; and the Venue in such Writ may be laid in any County, and the Pleadings and Proceedings thereupon, and the Rights of the Parties respectively to Costs, shall be the same as in an ordinary Action, so far as the same may be applicable.

Plea of Payment of Judgment.

CLII. In any Action on a Judgment, or in any Proceeding by Writ of Revivor to revive a Judgment, or to have Execution for the Sum remaining due and unsatisfied on Foot of such Judgment, if the Defendant hath paid the Money due on such Judgment or the Balance claimed on Foot of same, such Payment shall and may be pleaded in bar of any such Action or Proceeding by Writ of Revivor.

Writs of Scire facias in other Cases.

CLIII All Writs of Scire facias issued out of any of the Superior Courts of Law at *Dublin*, against Bail on a Recognizance; against Members of a Joint Stock Company or other Body upon a Judgment recorded against a public Officer or other Person sued as representing such Company or Body, or against such Company or Body itself; by or against a Husband to have Execution of a Judgment for or against a Wife; for Restitution after a Reversal in Error, or for Recovery of Land taken under an Elegit, or for Execution against a personal Representative on a Judgment of Assets quando acciderint, shall be dated, directed, and proceeded upon in like Manner as Writs of Revivor.

Writ of Revivor, how procured.

CLIV. A Writ of Revivor to revive a Judgment less than Ten Years old shall be allowed without any Rule or Order; if more than Ten Years old, not without the Order of the Court or a Judge.

Death, Marriage, Bankruptcy.

With respect to the Effect of Death, Marriage, and Bankruptcy upon the Proceedings in an Action:

Action not to abate by Death.

CLV. The Death of a Plaintiff or Defendant shall not cause the Action to abate, but it may be continued as herein-after mentioned.

Proceedings on Death of One of several Plaintiffs or Defendants.

CLVI. In case there be Two or more Plaintiffs or Defendants, and One or more of them shall die, if the Cause of Action shall survive to the surviving Plaintiff or Plaintiffs, or against the surviving Defendant or Defendants, the Action shall not be thereby abated; but, such Death being suggested upon the Record, the Action shall proceed at the Suit of the surviving Plaintiff or Plaintiffs against the surviving Defendant or Defendants.

Proceeding in case of sole Plaintiff.

CLVII. In case of the Death of a sole Plaintiff or sole surviving Plaintiff, the legal Representative of such Plaintiff may, by Leave of the Court or a Judge, enter a Suggestion of the Death, and that he is such legal Representative, and the Action shall thereupon proceed; and if such Suggestion be made before the Trial the Truth of the Suggestion shall be tried thereat, together with the Title of the deceased Plaintiff, and such Judgment shall follow upon the

the Verdict in favour of or against the Person making such Suggestion as if he were originally the Plaintiff.

Proceeding upon Death of sole or sole surviving Defendant.

CLVIII. In case of the Death of a sole Defendant or sole surviving Defendant, where the Action survives, the Plaintiff may file a Suggestion of the Death, and that a Person named therein is the Executor or Administrator of the Deceased, and may thereupon serve such Executor or Administrator with a Copy of the Summons and Plaint and Suggestion, and with a Notice, signed by the Plaintiff or his Attorney, requiring such Executor or Administrator to file a Defence within Twelve Days after Service of the Notice, inclusive of the Day of such Service, and that in default of his so doing the Plaintiff may sign Judgment against him as such Executor or Administrator; and the same Proceedings may be had and taken thereon after such Notice as upon a Writ against such Executor or Administrator in respect of the Cause for which the Action was brought; and in case the Plaintiff shall have issued his Summons and Plaint, but the Defendant shall not have pleaded before the Death, the new Defendant shall plead at the same Time to the Summons and Plaint and Suggestion; and in case the Defendant shall have pleaded before the Death the new Defendant shall be at liberty to plead to the Suggestion only by way of Denial, or such Plea as may be appropriate to and rendered necessary by his Character of Executor or Administrator, unless, by Leave of the Court or a Judge, he should be permitted to plead fresh Matter in answer to the Summons and Plaint, and in case the Plaintiff shall recover he shall be entitled to the like Judgment in respect of the Debt or Damages sought to be recovered, and in respect of the Costs prior to the Suggestion; and he shall be entitled in respect of the Costs of the Suggestion and subsequent thereto to the same Judgment as in an Action originally commenced against the Executor or Administrator.

Death between Verdict and Judgment.

CLIX. The Death of either Party between the Verdict or Nonsuit and the Judgment shall not hereafter be alleged for Error, so as such Judgment be entered within Two Terms after such Verdict or Nonsuit.

Death after interlocutory and before final Judgment.

CLX. If the Plaintiff in any Action happen to die after an interlocutory Judgment and before a final Judgment obtained therein, the said Action shall not abate by reason thereof, if such Action might be originally prosecuted or maintained by the Executor or Administrator of such Plaintiff; and if the Defendant die after such interlocutory Judgment and before final Judgment therein obtained, the said Action shall not abate, if such Action might be originally prosecuted

prosecuted or maintained against the Executor or Administrator of such Defendant; and the Plaintiff, or if he be dead after such interlocutory Judgment, his Executors or Administrators, shall and may have a Writ of Revivor, in the appropriate Form No. 13. contained in the Schedule B. to this Act annexed, or to the like Effect, against the Defendant, if living after such interlocutory Judgment, or if he be dead, then against his Executors or Administrators, to show Cause why Damages in such Action should not be assessed and recovered by him or them; and if such Defendant, his Executors or Administrators, shall not appear and defend at the Return of such Writ, or shall not show or allege any Matter sufficient to arrest the final Judgment, a Writ of Inquiry of Damages shall be awarded, or the Amount for which final Judgment is to be signed shall be referred to the Master, as herein-before provided; and upon the Return of the Writ, or Delivery of the Order with the Amount endorsed thereon to the Plaintiff, or his Executors or Administrators, final Judgment shall be given for the said Plaintiff, his Executors or Administrators, prosecuting such Writ of Revivor against such Defendant, his Executors or Administrators respectively.

Marriage not to abate Action.

CLXI. The Marriage of a Female Plaintiff or Defendant shall not cause the Action to abate, but the Action may notwithstanding be proceeded with to Judgment; and such Judgment may be executed against the Wife alone, or, by Suggestion or Writ of Revivor pursuant to this Act, Judgment may be obtained against the Husband and Wife, and Execution issue thereon; and in case of a Judgment for the Wife recovered before or after her Marriage in an Action commenced by her when sole, upon which she would be entitled to Execution if she had continued sole, Execution may be issued thereupon by the Authority of the Husband without any Writ of Revivor or Suggestion; and if in any such Action the Wife shall sue or defend by Attorney appointed by her when sole, such Attorney shall have Authority to continue the Action or Defence, unless such Authority be countermanded by the Husband, and the Attorney changed according to the Practice of the Court.

Bankruptcy and Insolvency of Plaintiff, when not to abate Action.

CLXII. The Bankruptcy or Insolvency of the Plaintiff in any Action which the Assignees might maintain for the Benefit of the Creditors shall not be pleaded in bar to such Action, unless the Assignees shall decline to continue, and give Security for the Costs thereof, upon a Judge's Order to be obtained for that Purpose, within such reasonable Time as the Judge may order, but the Proceedings may be stayed until such Election is made; and in case the Assignees neglect or refuse to continue the Action, and give such Security within

within the Time limited by the Order, the Defendant may, within Eight Days after such Neglect or Refusal, plead the Bankruptcy or Insolvency.

Arrest of Judgment.

With respect to the Proceedings upon Motions to arrest the Judgment, and for Judgment non obstante veredicto:

Upon Motion in arrest of Judgment or for Judgment non obstante veredicto, Suggestion of Facts.

CLXIII. No Judgment shall be arrested, nor shall Judgment be given non obstante veredicto, by reason of the Non-averment of any alleged material Fact or other Cause, unless the Party insisting on the Objection shall satisfy the Court that there has been an Omission of some substantial Matter of Fact whereby the said Party may have been prejudiced in the Merits of his Case, and in such Case the Party whose Pleading is alleged or adjudged to be therein defective may, by Leave of the Court, suggest the Existence of the omitted Fact or Facts, or other Matter, which, if true, would remedy the alleged Defect; and such Suggestion may be pleaded to by the opposite Party within Eight Days after Notice thereof, or such Time as the Court or a Judge may allow; and the proceeding to Trial of any Issue joined on such Suggestion shall be the same as in an ordinary Action.

Costs to follow Result of Issue.

CLXIV. If the Fact suggested be admitted or found to be true, the Party suggesting shall be entitled to the like Judgment as he would have been entitled to if such Facts or Allegations had been originally stated in the Pleading, and proved or admitted at the Trial, together with the Costs of and occasioned by the Suggestion and Proceeding thereon; but if such Fact or Facts be found to be untrue, the opposite Party shall be entitled to his Costs of and occasioned by the Suggestion and Proceeding thereon, in addition to any other Costs to which he may be entitled.

Costs of abortive Issues.

CLXV. Upon an Arrest of Judgment, or Judgment non obstante veredicto, the Court shall adjudge to the Party against whom such Judgment is given the Costs occasioned by the Trial of any Issues of Fact arising out of the Pleading for Defect of which such Judgment is given upon which such Party shall have succeeded; and such Costs shall be set off against any Money or Costs adjudged to the opposite Party, and Execution may issue for the Balance, if any.

Error.

With respect to Proceedings in Error:

Error to be brought within Six Years.

CLXVI. No Judgment in any Action shall be reversed or avoided for any Error or Defect therein, unless the Proceedings in Error be commenced, or brought and prosecuted with Effect, within Six Years after such Judgment signed or entered of Record, or within

Six Years after the Time when this Act shall have come into operation.

Error may be brought by legal Representative of a deceased Party.

CLXVII. If any Person is or shall be entitled to bring Error as Heir or Personal Representative of any Party, Plaintiff or Defendant, such Person may, by Leave of the Court or a Judge, enter a Suggestion of the Death, and that he is such legal Representative, which Suggestion shall be embodied in the Memorandum of Error hereinafter mentioned, and shall not be traversable, but shall only be subject to be set aside on Application to the Court or a Judge, on Motion, if untrue, and the like Proceedings in Error may thereupon be taken at the Suit of such legal Representative.

Proviso for Disabilities.

CLXVIII. If any Person that is or shall be entitled to bring Error as aforesaid is or shall be, at the Time of such Title accrued, within the Age of Twenty-one Years, Feme Covert, non compos mentis, or beyond the Seas, then such Person shall be at liberty to bring Error as aforesaid, so as such Party brings or commences and prosecutes the same with Effect within Six Years after coming to or being of full Age, Discovert, of sound Memory, or return from beyond the Seas; and if the opposite Party shall at the Time of the Judgment signed or entered of Record be beyond the Seas, then Error may be brought, provided the Proceedings be commenced and prosecuted with Effect within Six Years after the Return of such Party from beyond Seas.

Writ of Error abolished.

CLXIX. A Writ of Error shall not be necessary or used in any Action, and the Proceeding to Error shall be a Step in the Cause, and shall be taken in manner herein-after mentioned; but nothing in this Act contained shall invalidate any Proceedings already taken or to be taken by reason of any Writ of Error issued before the Commencement of this Act.

Error in Law how brought.

CLXX. Either Party alleging Error in Law may deliver to the Master of the Court a Memorandum in Writing in the Form No. 12. contained in the Schedule B. to this Act annexed, or to the like Effect, entitled in the Court and Cause, and signed by the Party or his Attorney, alleging that there is Error in Law in the Record and Proceedings, whereupon the Master shall file such Memorandum, and deliver to the Party lodging the same a Note of the Receipt thereof; and a Copy of such Note, together with a Statement of the Grounds of Error intended to be argued, may be served on the opposite Party or his Attorney.

Error no Supersedeas till Service of

CLXXI. Proceedings in Error in Law shall be deemed a Supersedeas of Execution from the Time of the Service of the Copy of the Note

Note of the Receipt by the Master of the Memorandum alleging Error, together with the Statement of the Grounds of Error intended to be argued, until Default in putting in Bail, or Affirmance of the Judgment, or Discontinuance of the Proceedings in Error, or until the Proceedings in Error shall be otherwise disposed of without a Reversal of the Judgment; provided that if the Grounds of Error shall appear to be frivolous the Court or a Judge upon Motion may order Execution to issue.

the Copy of the Note and Ground of Error.

CLXXII. Upon any Judgment given or to be given in any of the said Superior Courts of Common Law in any Personal Action or Ejectment, Execution shall not be stayed or delayed by Proceedings in Error, or Supersedeas thereupon, without special Order of the Court or a Judge, unless the Person in whose Name such Proceedings in Error be brought shall, within Four clear Days after lodging the Memorandum alleging Error, or after the signing of the Judgment, whichever shall last happen, or before Execution executed, be bound with Two, or, by Leave of the Court or a Judge, more than Two sufficient Sureties, such as the Court wherein such Judgment is or shall be given, or a Judge, shall allow of, unto the Party for whom any such Judgment is or shall be given, by Recognizance, to be acknowledged in the same Court, in double the Sum adjudged to be recovered by the said Judgment, except in case of a Penalty, and in case of a Penalty in double the Sum really due, and double the Costs, and in the Case of a Plaintiff in double the Costs adjudged to be paid to the Defendant, and also, except in case of Error brought by a Defendant in Ejectment, and in such Case in double the yearly Value of the Property adjudged to be recovered and double the Costs, to prosecute the Proceedings in Error with Effect, and also to satisfy and pay (if the said Judgment be affirmed, or the Proceedings in Error be discontinued by the Plaintiff therein,) all and singular the Sum or Sums of Money and Costs adjudged or to be adjudged upon the former Judgment, and all Costs and Damages and Interest to be awarded on such Writ of Error, or on any further Writ returnable into Parliament, for the delaying of Execution, and also the Mesne Rates of such Lands, if any be adjudged in any Action to be brought for the same, and give Notice thereof to the Defendant in Error or his Attorney.

Bail in Error.

CLXXIII. The Assignment of and Joinder in Error in Law shall not be necessary or used, and instead thereof a Suggestion to the Effect that Error is alleged by the one Party and denied by the other may be entered on the Judgment Roll in the Form No. 13. contained in Schedule B. to this Act annexed, or to the like Effect; provided that in case the Defendant in Error intends to rely upon

Suggestion of Joinder in Error.

upon the Proceeding in Error being barred by Lapse of Time, or by Release of Error, or other like Matter of Fact, he may give Four Days written Notice to the Plaintiff in Error to assign Error as heretofore, instead of entering the Suggestion, and shall plead thereto within Eight Days the Bar by Lapse of Time, or Release of Error, or other like Matter of Fact, upon which such Proceedings may be had as heretofore.

Entry of Suggestion to be made by Plaintiff in Error.

CLXXIV. The Suggestion last aforesaid shall be entered by the Plaintiff in Error within Ten Days after the Service of the Note of the Receipt of the Memorandum alleging Error, or such other Time as the Court or a Judge may order; and in default thereof, or of Assignment of Error in Cases where an Assignment is required, the Defendant in Error, his Executors or Administrators, shall be at liberty to sign Judgment of Non-pros.

Error by One of several Persons.

CLXXV. In case Error be brought upon a Judgment given against several Persons, and One or some only shall proceed in Error, the Note of the Receipt of such Memorandum shall state the Names of the Persons by whom the Proceedings are taken; and in case the other Persons against whom Judgment has been given decline to join in the Proceedings in Error, the same may be continued, and the Suggestion last aforesaid entered, stating the Persons by whom the Proceedings are brought, without any Summons and Severance; or if such other Persons elect to join, then the Suggestion shall state them to be and they shall be deemed as Plaintiffs in Error, although not mentioned as such in the previous Proceedings.

Judgment Roll to be brought into Court of Error.

CLXXVI. Upon such Suggestion of Error alleged and denied being entered, the Cause may be set down for Argument in the Court of Error in the Manner heretofore used; and the Judgment Roll shall, without any Writ or Return, be brought by the Master into the Court of Error in the Exchequer Chamber, before the Judges of the said Court, on the Day of its Sitting, at such Time as the Judges shall appoint, either in Term or in Vacation; and the Court of Error shall and may thereupon review the Proceedings, and give Judgment as they shall be advised thereon; and such Proceedings and Judgment as altered or affirmed shall be entered on the original Record; and such further Proceedings as may be necessary thereon shall be awarded by the Court in which the original Judgment was given: Provided, however, that in case of Error to the High Court of Parliament, a Transcript of the Record shall be prepared and forwarded in the Manner heretofore used.

CLXXVII. Courts

CLXXVII. Courts of Error shall have Power to quash the Proceedings in Error in all Cases in which Error does not lie, or where they are taken against good Faith, or in any Case in which Proceedings in Error might heretofore have been quashed by such Courts; and such Courts shall in all respects have such Jurisdiction over the Proceedings as over the Proceedings in Error commenced by Writ of Error, and shall be enabled to give the like Order for Payment of Interest for Delay of Execution in giving any Judgment of Affirmance.

Jurisdiction of Courts of Error.

CLXXVIII. Courts of Error shall in all Cases have Power to give such Judgment and award such Process of Repleader and Writ of Inquiry as the Court from which Error is brought ought to have done, without regard to the Party alleging Error.

Court of Error to have like Powers with Court below.

CLXXIX. Either Party alleging Error in Fact may deliver to the Master of the Court a Memorandum in Writing in the Form No. 14. contained in the Schedule B. to this Act annexed, or to the like Effect, entitled in the Court and Cause, and signed by the Party or his Attorney, alleging that there is Error in Fact in the Proceedings, together with an Affidavit of the Matter of Fact in which the alleged Error consists, whereupon the Master shall file such Memorandum and Affidavit, and deliver to the Party lodging the same a Note of the Receipt thereof; and a Copy of such Note and Affidavit may be served on the opposite Party or his Attorney; and such Service shall have the same Effect, and the same Proceedings may be had thereafter, as heretofore had after the Service of the Rule for Allowance of a Writ of Error in Fact.

Proceedings in Error in Fact.

CLXXX. The Plaintiff in Error, whether in Fact or Law, shall be at liberty to discontinue his Proceedings by giving to the Defendant in Error a Notice, headed in the Court and Cause, signed by the Plaintiff in Error or his Attorney, stating that he discontinues such Proceedings, and thereupon the Defendant in Error may sign Judgment for the Costs of and occasioned by the Proceedings in Error, and may proceed upon the Judgment on which the Error was brought.

Plaintiff may discontinue Proceedings in Error.

CLXXXI. The Defendant in Error, whether in Fact or Law, shall be at liberty to confess Error, and consent to the Reversal of the Judgment, by giving to the Plaintiff in Error a Notice, headed in the Court and Cause, signed by the Defendant in Error or his Attorney, stating that he confesses the Error, and consents to the Reversal of the Judgment, and thereupon the Plaintiff in Error shall, on an Affidavit of the Service of such Notice, be entitled to and may forthwith sign a Judgment of Reversal.

Defendant may confess Error, and consent to Reversal of Judgment.

CLXXXII. The

Death of Plaintiff in Error no Abatement.

CLXXXII. The Death of a Plaintiff in Error after Service of the Note of the Receipt of the Memorandum alleging Error, with a Statement of the Grounds of Error, shall not cause the Proceedings to abate, but they may be continued as herein-after mentioned.

Death of One of several Plaintiffs in Error.

CLXXXIII. In case of the Death of One of several Plaintiffs in Error, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but shall only be subject to be set aside if untrue, and the Proceedings may be thereupon continued at the Suit of and against the surviving Plaintiff in Error, as if he were the sole Plaintiff.

Death of sole Plaintiff or of all the Plaintiffs in Error.

CLXXXIV. In case of the Death of a sole Plaintiff or of all the Plaintiffs in Error, the legal Representative of such Plaintiff or of the surviving Plaintiff may, by Leave of the Court or a Judge, enter a Suggestion of the Death, and that he is such legal Representative, which Suggestion shall not be traversable, but shall only be subject to be set aside on Application to the Court or a Judge on Motion, if untrue, and the Proceedings may thereupon be continued at the Suit of and against such legal Representative of the Plaintiff in Error; and if no such Suggestion shall be made, the Defendant in Error may proceed to an Affirmance of the Judgment according to the Practice of the Court, or take such other Proceedings thereupon as he may be entitled to.

Death of Defendant in Error no Abatement.

CLXXXV. The Death of a Defendant in Error shall not cause the Proceedings to abate, but they may be continued as herein-after mentioned.

Proceedings upon Death of One of several Defendants in Error.

CLXXXVI. In case of the Death of One of several Defendants in Error, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but only be subject to be set aside if untrue, and the Proceedings may be continued against the surviving Defendant.

Proceedings upon Death of sole Defendant or of all the Defendants in Error.

CLXXXVII. In case of the Death of a sole Defendant or of all the Defendants in Error, the Plaintiff in Error may proceed, upon giving Ten Days Notice of the Proceedings in Error, and of his Intention to continue the same, to the Representatives of the deceased Defendants, or if no such Notice can be given, then, by Leave of the Court or a Judge, upon giving such Notice to the Parties interested as he or they may direct.

Marriage not to abate Proceedings in Error.

CLXXXVIII. The Marriage of a Female Plaintiff or Defendant in Error shall not abate the Proceedings in Error, but the same may be continued

continued in like Manner as herein-before provided with reference to the Continuance of an Action after Marriage.

Injunctions to have a specific Operation.

CLXXXIX. In case any Action, Suit, or Proceeding in any of the said Superior Courts of Law or in a Court of Equity shall be commenced, sued, or prosecuted in disobedience of any Writ of Injunction, Rule or Order of the Court of Chancery or of any of the Superior Courts of Law, upon Production of such Writ of Injunction, Rule or Order, to the Court in which such Action, Suit, or Proceeding shall be commenced, prosecuted, or taken, or any Judge thereof, the said Court or a Judge shall stay all further Proceedings contrary to such Injunction, Rule or Order, and thenceforth all further and subsequent Proceedings shall be utterly null and void: Provided always, that nothing herein contained shall be held to vary or abridge the Liability of any Person commencing, suing, or prosecuting such Action, Suit, or Proceeding, contrary to such Injunction, Rule, or Order aforesaid, to any Attachment, Punishment, or other Proceeding to which such Person shall or may be liable in case of Contempt of the Court of Chancery or Superior Court of Law aforesaid, in regard to the commencing, suing, or prosecuting such Action, Suit, or Proceeding.

General Matters.

With respect to general Matters connected with the Action:

Pleadings dated of Time of pleading.

CXC. Every Defence and Demurrer and other Pleading shall be entitled of the proper Court, and of the Day of the Month and the Year when the same was pleaded, and shall be entered on the Abstract for Nisi Prius, and on the Judgment Book or Roll under the Date of the Day of the Month and the Year when the same respectively took place.

Writs to be tested and returnable in Vacation as well as in Term.

CXCI. Every Writ of any Description whatsoever to be hereafter issued out of the said Superior Courts of Common Law or the Court of Exchequer Chamber may be issued and tested or made returnable on any Day, not being One of the Days hereby appointed as Holidays, whether such Day shall be in Term Time or Vacation, and every such Writ so issued, tested, or returnable shall be of the like Validity, Force, and Effect as if the Day of the issuing, testing, or Return of such Writ were actually a Day in Term: Provided always, that nothing herein contained shall affect the Process and Practice of the Revenue Side of the Court of Exchequer.

Rules shall issue and run in Vacation as well as in Term Time.

CXCII. Every Rule or Order in the said Superior Courts and the Court of Exchequer Chamber may be made, entered, or issued on or as of any Day except the Days hereby appointed to be observed and kept as Holidays, whether such Day shall be in Term Time or Vacation;

Vacation; and the Days limited for Compliance with such Rules or Orders shall, with the Exception of the Days hereby appointed to be observed and kept as Holidays, and of the Days between the First Day of *August* and Twentieth Day of *October*, run in Vacation as well as in Term Time.

Court on Motion may order a fixed Sum to be paid in lieu of taxed Costs.

CXCIII. In all Cases upon interlocutory Applications where the Court or a Judge shall deem it proper to award Costs to either Party, it shall be optional with the Court or Judge either to refer the Costs to the Taxing Officer to be taxed, or by the Order direct the Payment of a Sum in gross in lieu of taxed Costs, and also to direct by and to whom such Sum in gross shall be paid.

Action of Ejectment.

Ejectment to be commenced by Writ of Summons and Plaint.

With respect to the Action of Ejectment:

CXCIV. Where any Party shall claim Possession of any Lands, Tenements, or Hereditaments, and shall be desirous of proceeding by Ejectment for the Recovery of the same in any of the said Superior Courts of Law, such Party shall commence any Action for such Purpose by a Writ of Summons and Plaint, which Writ shall be directed to the immediate Tenant or any One Tenant in possession, as Defendant, with the Addition of the Words "and all Persons concerned," and shall, in addition to any Particulars herein-before required, contain the Description of the Property sought to be recovered with reasonable Certainty, and the County, Barony, or Parish in which the same is situated: Provided, however, that no Want of "reasonable Certainty" in the Description of the Property, or Part of it, in the Summons and Plaint or Copy, shall nullify them, but shall be Ground for an Application to the Court or a Judge for better Particulars of the Land claimed, which the Court or a Judge shall have Power to give in all Cases, upon the Application of any Person named as a Defendant or interested in the Lands claimed or supposed to be claimed.

Form and Duration of Writ of Summons in Ejectment.

CXCV. The Writ of Summons and Plaint in Ejectment shall state the Names of all the Persons in whom the Title is alleged to be, and command the Persons to whom it is directed to appear, within Twelve Days after the Service thereof, in the Court into which such Writ is returnable, to defend the Possession of the Property sued for, or such Part thereof as they may think fit; and the Writ shall be dated and endorsed, and continue in force, and be renewed, and shall be filed after Service thereof, in like Manner as herein-before enacted with reference to the Writ of Summons and Plaint in a Personal Action; and in Cases of Ejectment on the Title it shall be lawful for the Plaintiff by such Writ to claim Damages for the Loss of the Mesne Rates and Profits of the Lands sought to be recovered; and in case of Ejectment for Nonpayment of Rent such

such Writ shall be endorsed with the full Particulars of the Rent due, and of all Credits to which the Defendant shall be justly entitled, and may be in the Form No. 15. in the Schedule B. to this Act annexed, or to the like Effect; and the same Proceedings may be had to ascertain whether the Writ was issued by the Authority of the Attorney whose Name was contained in, or endorsed thereon, and who and what the Plaintiffs are, and their Abode, and as to staying the Proceedings upon Writs issued without Authority, as in the Case of Writs in Personal Actions.

Trial may be ordered to take place in any County.

CXCVI. The Venue shall be laid in the County in which the Lands are situate, but the Court or a Judge may, on the Application of either Party, order that the Trial shall take place in any County or Place other than that in which the Venue is laid; and such Order being suggested on the Abstract, the Trial may be had accordingly.

Service of Ejectment.

CXCVII. The Writ shall be served in the same Manner as an Ejectment has heretofore been served, or in such Manner as the Court or a Judge shall order; and in case of vacant Possession, by posting a Copy thereof upon the Door of the Dwelling House or other conspicuous Part of the Premises.

Form of Defence in Ejectment.

CXCVIII. Every Defence to a Summons in Ejectment on the Title shall be in the Form No. 16. in the Schedule B. to this Act annexed, or to the like Effect, and every Defence to an Ejectment for Nonpayment of Rent shall set forth the substantial Ground of the Defence, as, for Example, whether the Title of the Plaintiff as Landlord is disputed, or the Fact of the Rent being due if in Dispute; and such Defence shall be endorsed with the Particulars of any Payments made, and may be according to the Form No. 17. in the said Schedule B.

Partial Defence.

CXCIX. Any Person taking Defence as aforesaid to an Ejectment on the Title shall be at liberty to limit his Defence to a Part only of the Property mentioned in the Writ, describing that Part with reasonable Certainty, otherwise the Defence shall be deemed to apply to the whole; but a Defence to an Ejectment for Nonpayment of Rent shall be a Defence for all the Lands and Premises in the Summons mentioned; and in case a Defendant shall desire to take Defence for Part only of the Premises, upon the Ground that such Part was not included in the Lease or other Instrument sought to be evicted, he shall make a special Application to the Court for that Purpose.

Defence of Persons not named or in possession.

CC. Any other Person not named in or served with such Writ shall, by Leave of the Court or a Judge, be allowed to defend, on filing an Affidavit showing that he is in possession of the Land, either by himself or his Tenant; and the Court or a Judge shall have Power to strike out or confine any Defence set up by a Person not in possession by himself or his Tenants.

Judgment by Default for Want of Defence.

CCI. In case no Defence be filed within the Time appointed, or if the Defence filed be limited to Part only, the Plaintiff shall, on filing an Affidavit of the Service of the Summons and Plaint, be at liberty to sign a Judgment that the Plaintiffs shall recover Possession of the Land, or of the Part thereof to which the Defence does not apply; and such Judgment, if for all, may be in the Form No. 18. contained in the Schedule B. to this Act annexed, or to the like Effect, without any Award of Costs, but without Prejudice to the Plaintiff's Right to have the Costs taxed by the proper Officer, and to proceed by Action for Recovery of Mesne Rates and Costs, or either of them; and the said Judgment for Part may be in the Form No. 19. contained in the said Schedule B. to this Act annexed, or to the like Effect; and a Memorandum of such Judgment shall be recited in the Abstract for Nisi Prius or Judgment thereafter to be made up.

Abstract of Issues.

CCII. In case a Defence shall be filed, an Abstract of the Issue for Nisi Prius may at once be made up by the Plaintiffs or their Attorney, setting forth the Writ, and stating the Fact of the Defence, with its Date, of each of the Persons taking Defence, so that it may appear for what Defence is made; and such Abstract may be in the Form No. 20. contained in Schedule B. to this Act annexed, or to the like Effect, and such Abstract shall be lodged with the Pleadings Assistant in the Manner herein-after provided; and the Question at the Trial, except in the Case herein-after mentioned, shall be whether the Statement of the Title of the Plaintiffs in the Summons and Plaint is true or false, and if true, then which of the Plaintiffs is entitled, and whether to the whole or Part, and if to Part, then to which Part of the Property in question, and whether to any, and, if any, to what Damages by way of Compensation for Loss of mesne Rates and Profits; and upon the Trial of any Issue in an Ejectment for Nonpayment of Rent the Amount of the Rent due to the Plaintiff shall be found by the Jury.

Proof of Title.

CCIII. The Proof of Title in any One or more of several Plaintiffs in Ejectment shall be sufficient to entitle a Verdict to be entered for such Plaintiff or Plaintiffs, and it shall not be necessary to produce or prove upon any Trial of an Ejectment the Affidavit of Service of the Writ of Summons.

CCIV. In

CCIV. In case the Title of the Plaintiff shall appear to have existed as alleged in the Writ at the Time of Service thereof, but it shall also appear to have expired before the Time of Trial, the Plaintiff shall, notwithstanding, be entitled to a Verdict, according to the Fact that he was so entitled at the Time of bringing the Action and serving the Writ, and to a Judgment for his Costs of Suit.

Verdict when Title appears to have expired before Trial.

CCV. If the Defendant appears, and the Plaintiff does not appear at the Trial, the Plaintiff shall be nonsuited; and if the Plaintiff appears, and the Defendant does not appear, the Plaintiff shall be entitled to a Verdict, without any Proof of his Title, and in case of Ejectment on the Title shall be entitled to prove the Amount of Damages sustained by reason of the Loss of the mesne Rates and Profits, and in case of an Ejectment for Nonpayment of Rent shall be entitled to prove the Amount of Rent actually due, and to have a Verdict for the same.

Nonappearance at Trial.

CCVI. In Ejectment for Nonpayment of Rent, where Judgment shall have gone by Default, or the Defendant shall not appear at the Trial, it shall be sufficient for the Purpose of ascertaining the Amount of the Rent due, and to satisfy the Provisions of the Statutes with respect to the ascertaining the Rent, that an Affidavit of the Plaintiffs, or One of them, or their or his Agent, to the Effect that an Amount of Rent not less than One Year's Rent, and specifying the same, was due at the Time of the Commencement of the Action, after all just Allowances shall have been made.

Ascertainment of Rent.

CCVII. Upon a Verdict for the Plaintiff, Judgment may be signed, and Execution issued for the Recovery of Possession of the Property, or such Part thereof as the Jury shall find the Plaintiff entitled to, and in case of an Ejectment on the Title for such Damages for Loss of mesne Rates and Profits as shall be found by the said Jury, and in case of Ejectment for Nonpayment of Rent for Recovery of so much Rent as shall be found to be due, and Costs, within such Time, not exceeding the Fifth Day in Term after the Verdict, as the Court or Judge before whom the Cause is tried shall order, and if no such Order be made, then on the Fifth Day in Term after the Verdict, or within Fourteen Days after such Verdict, whichever shall first happen.

Judgment and Execution upon finding for Plaintiff.

CCVIII. Upon a Verdict for the Defendants, or any of them, or upon a Nonsuit, Judgment may be signed, and Execution issue for Costs against the Plaintiffs named in the Writ, within such Time, not exceeding the Fifth Day in Term after the Verdict or Nonsuit, as the Court or Judge before whom the Cause is tried shall order, and if no such Order be made, then on the Fifth Day in Term after the

Judgment and Execution upon Finding for Defendant.

the Verdict or Nonsuit, or within Fourteen Days after such Verdict, whichever shall first happen.

Execution in Ejectment.

CCIX. Upon any Judgment in Ejectment there may be either One or several Writs of Execution for the Recovery of the Possession, and for the Damages or the Rent ascertained to be due, and Costs, at the Election of the Plaintiff.

Defence by joint Owners.

CCX. In case of such an Action being brought by some or One of several Persons entitled as Joint Tenants, Tenants in Common, or Coparceners, any Joint Tenant, Tenant in Common, or Coparcener in possession may set forth in his Defence that he is such Joint Tenant, Tenant in Common, or Coparcener, and defends as such, and admits the Right of the Plaintiff to an undivided Share of the Property, stating what Share, but denies any actual Ouster of him from the Property, and upon the Trial of such an Issue the additional Question of whether an actual Ouster has taken place shall be tried.

Judgment against Joint Owners.

CCXI. Upon the Trial of such Issue as last aforesaid, if it shall be found that the Defendant is Joint Tenant, Tenant in Common, or Coparcener with the Plaintiff, then the Question whether an actual Ouster has taken place shall be tried, and unless such actual Ouster shall be proved the Defendant shall be entitled to Judgment and Costs; but if it shall be found, either that the Defendant is not such Joint Tenant, Tenant in Common, or Coparcener, or that an actual Ouster has taken place, then the Claimant shall be entitled to such Judgment for the Recovery of Possession and Costs.

Action not to abate by Death of Plaintiff.

CCXII. The Death of a Plaintiff or Defendant in Ejectment shall not cause the Action to abate.

Suggestion of Death of Plaintiff.

CCXIII. In case the Right of a deceased Plaintiff shall survive to another Plaintiff, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but shall only be subject to be set aside if untrue, and the Action may proceed at the Suit of the surviving Plaintiff; and if such a Suggestion shall be made before the Trial, then the Plaintiff shall have a Verdict, and recover such Judgment as aforesaid, upon its appearing that he was entitled to bring the Action either separately or jointly with the deceased Plaintiff.

Death before Trial of Plaintiff where Right does not survive.

CCXIV. In case of the Death before Trial of One of several Plaintiffs whose Right does not survive to another or others of them, where the legal Representative of the deceased Plaintiff shall not become a Party to the Suit in the Manner herein-after mentioned, a Suggestion may be made of the Death, which Suggestion shall not be traversable,

traversable, but shall only be subject to be set aside if untrue, and the Action may proceed at the Suit of the surviving Plaintiff for such Share of the Property as he is entitled to, and Costs.

Death of sole Plaintiff where Right does not survive.

CCXV. In case of the Death of a sole Plaintiff or before the Trial of One of several Plaintiffs whose Right does not survive to another or others of them, the legal Representative of such Plaintiff may, by Leave of the Court or a Judge, enter a Suggestion of the Death, and that he is such legal Representative, and the Action shall thereupon proceed; and if such Suggestion be made before the Trial the Truth of the Suggestion shall be tried thereat, together with the Title of the deceased Plaintiff, and such Judgment shall follow upon the Verdict in favour of or against the Person making such Suggestion as herein-before provided with reference to a Judgment for or against such Plaintiff; and in case such Suggestion in the Case of a sole Plaintiff be made after a Verdict for the Plaintiff, and before Execution, executed by Delivery of Possession thereupon, and such Suggestion be denied by the Defendant within Eight Days after Notice thereof, or such further Time as the Court or a Judge may allow, then such Suggestion shall be tried, and if upon the Trial thereof a Verdict shall pass for the Person making such Suggestion he shall be entitled to such Judgment as aforesaid for the Recovery of Possession, and for the Costs of and occasioned by such Suggestion, and in case of a Verdict for the Defendant such Defendant shall be entitled to such Judgment as aforesaid for Costs; and in case the said Suggestion shall not be denied within the Time aforesaid the said personal Representative shall, on producing an Affidavit of the Service of the Notice, be entitled to proceed to Judgment and Execution in his own Name.

Death of One of several Plaintiffs after Verdict

CCXVI. In case of a Verdict for Two or more Plaintiffs, if One of such Plaintiffs die before Execution executed, the other may, whether the legal Right to the Property shall survive or not, suggest the Death in manner aforesaid, and proceed to Judgment and Execution for Recovery of Possession of the Entirety of the Property and the Costs; but nothing herein contained shall affect the Right of the legal Representative of the deceased Plaintiff, or the Liability of the surviving Plaintiff to such legal Representative; and the Entry and Possession of such surviving Plaintiff under such Execution shall be considered as an Entry and Possession on behalf of such legal Representative in respect of the Share of the Property to which he shall be entitled as such Representative, and the Court may direct Possession to be delivered accordingly.

Death of One of several joint Defendants.

CCXVII. In case of the Death before or after Judgment of One of several Defendants in Ejectment who defend jointly, a Suggestion may

may be made of the Death, which Suggestion shall not be traversable, but only be subject to be set aside if untrue, and the Action may proceed against the surviving Defendant to Judgment and Execution.

Upon Death of all the Defendants before Trial.

CCXVIII. In case of the Death of a sole Defendant or of all the Defendants in Ejectment before Trial, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but only be subject to be set aside if untrue; and the Plaintiffs shall be entitled to Judgment for Recovery of Possession of the Property, unless some other Person shall take Defence within a Time to be appointed for that Purpose by the Order of the Court or a Judge, to be made upon the Application of the Plaintiffs; and it shall be lawful for the Court or a Judge, upon such Suggestion being made, and upon such Application as aforesaid, to order that the Plaintiffs shall be at liberty to sign Judgment within such Time as the Court or a Judge may think fit, unless the Person then in possession, by himself or his Tenant, or the legal Representative of the deceased Defendant, shall within such Time defend the Action; and such Order may be served in the same Manner as the Writ; and in case such Person shall take Defence, the same Proceedings may be taken against such new Defendant as if he had originally appeared and defended the Action; and if no Defence be made, then the Plaintiff shall be at liberty to sign Judgment pursuant to the Order.

Death before Trial of Defendant in Ejectment who defends for Part.

CCXIX. In case of the Death before Trial of One of several Defendants in Ejectment who defends separately for a Portion of the Property for which the other Defendant or Defendants do not defend, the same Proceedings may be taken as to such Portion as in the Case of the Death of a sole Defendant, or the Plaintiffs may proceed against the surviving Defendants in respect of the Portion of the Property for which they defend.

Death of Defendant defending separately for Property, in respect of which others also defend.

CCXX. In case of the Death before Trial of One of several Defendants in Ejectment who defends separately in respect of Property for which surviving Defendants also defend, it shall be lawful for the Court or a Judge, at any Time before the Trial, to allow the Person at the Time of the Death in possession of the Property, or the legal Representative of the deceased Defendant, to defend, on such Terms as may appear reasonable and just, upon the Application of such Person or Representative; and if no such Application be made or Leave granted, the Plaintiff suggesting the Death in manner aforesaid may proceed against the surviving Defendant or Defendants to Judgment and Execution.

Death of all Defendants after Verdict.

CCXXI. In case of the Death of a sole Defendant or of all the Defendants in Ejectment, after Verdict, the Plaintiffs shall nevertheless

less be entitled to Judgment as if no such Death had taken place, and to proceed by Execution for Recovery of Possession, without Suggestion or Revivor, and to proceed for the Recovery of the Costs in like Manner as upon any other Judgment for Money against the legal Representatives of the deceased Defendant or Defendants.

Plaintiff may discontinue by Notice.

CCXXII. The Plaintiff in Ejectment shall be at liberty at any Time before Verdict or Judgment against him to discontinue the Action as to One or more of the Defendants, by giving to the Defendant or his Attorney a Notice, headed in the Court and Cause, signed by the Plaintiff or his Attorney, stating that he discontinues such Action; and thereupon the Defendant to whom such Notice is given shall, by filing an Affidavit of the Service of such Notice, be entitled to and may forthwith sign Judgment for Costs in the Form No. 21. contained in the Schedule B. to this Act annexed, or to the like Effect; and any One of several Plaintiffs desirous to discontinue may apply to the Court or a Judge to have his Name struck out of the Proceedings, and an Order may be made thereupon upon such Terms as to the Court or Judge may seem fit, and the Action shall thereupon proceed at the Suit of the other Plaintiffs.

Defendant may confess the Action.

CCXXIII. A sole Defendant or all the Defendants in Ejectment shall be at liberty to confess the Action as to the whole or Part of the Property, by giving to such Plaintiff a Consent for Judgment, headed in the Court and Cause, signed by the Defendant or Defendants, such Signature to be attested by his or their Attorney; and thereupon the Plaintiff may forthwith sign Judgment and issue Execution for the Recovery of Possession and Costs in the Form No. 22. contained in the Schedule B. to this Act annexed, or to the like Effect; and in case One of several Defendants in Ejectment, who defends separately for a Portion of the Property for which the other Defendant or Defendants do not defend, shall be desirous of confessing the Plaintiff's Title to such Portion, he may give a like Consent for Judgment to the Plaintiff; and thereupon the Plaintiff may forthwith sign Judgment and issue Execution for the Recovery of Possession of such Portion of the Property, and for the Costs occasioned by the Defence relating to the same, and the Action may proceed as to the Residue.

Confession by One Defendant.

CCXXIV. In case One of several Defendants in Ejectment who defends separately in respect of Property for which other Defendants also defend shall be desirous of confessing the Plaintiff's Title, he may give a like Consent for Judgment; and thereupon the Plaintiff may sign Judgment against such Defendant for the Costs occasioned by his Defence, and may proceed in the Action against the other Defendants to Judgment and Execution.

CCXXV. The

Effect of Judgment in Ejectment.

CCXXV. The Effect of a Judgment in Ejectment under this Act shall be the same as that of a Judgment in an Action of Ejectment heretofore used.

Inquiry as to Mesne Rates after Writ of Error.

CCXXVI. If the Judgment in Ejectment shall be affirmed by the Court of Error, or the Proceedings in Error be discontinued by the Plaintiff therein, it shall be lawful for the Court wherein Execution ought to be granted, upon such Affirmation or Discontinuance, upon the Application of the Plaintiff, to issue a Writ to inquire as well of the Mesne Profits as of the Damage by any Waste committed after the First Judgment in Ejectment, which Writ may be dated on the Day on which it shall issue, and be returnable immediately after the Execution thereof, and upon the Return thereof Judgment shall be given, and Execution awarded for such Mesne Profits and Damages, and also for Costs of Suit.

General Provisions to apply to Ejectments.

CCXXVII. All other Provisions herein contained shall extend to Ejectments, *mutatis mutandis*, unless where the same shall not be applicable, or where the Subject Matter thereof shall have been herein otherwise provided for.

Action for Replevin of Goods.

With respect to the Proceedings for Recovery of Goods and Chattels by way of Replevin:

Action for Replevin to be commenced by Writ of Summons and Plaint.

CCXXVIII. Where any Party whose Goods or Chattels have been taken or distrained shall dispute the Validity of such Taking or Distress, and shall be desirous of proceeding for the Recovery of such Goods and Chattels in any of the said Superior Courts, such Party may commence a Personal Action for the Recovery of the Goods or Chattels so taken or distrained by a Writ of Summons and Plaint, which Writ of Summons shall, in addition to any Particulars herein-before required in an ordinary Writ of Summons, state the Particulars of the Property taken or distrained, and the Place where such Taking, Seizure, or Distress shall have been made, and shall be served by delivering a Copy or Copies thereof to the Defendant or Defendants, or to any Agent or other Person acting for him or them in making such Seizure or Distress, or in keeping the Goods and Chattels so taken or distrained, in the Manner herein-before provided in respect of an ordinary Writ of Summons.

Plaintiff may sue out also a Writ of Replevin.

CCXXIX. When any such Personal Action shall have been so commenced it shall be lawful for the Plaintiff therein to sue out of the Court in which such Action shall be instituted a Writ, to be called a Writ of Replevin, in the Form No. 23. in the Schedule B. to this Act annexed, directed to the Sheriff of the County in which such Goods and Chattels shall be under Seizure or Distress, requiring him to replevy the

the said Goods and Chattels, and the said Sheriff shall and he is hereby required, upon good Security (by the Bond of the Plaintiff, and Two responsible Persons as Sureties, conditioned as usual in such Cases,) being given to him, in double the Amount of the Value of the Property taken or distrained, to execute such Writ, and to return the said Writ, with a correct and proper Statement endorsed thereon of the Manner in which the same shall have been executed, or the Cause why the same has not been executed, to the Court out of which the same shall have issued, within Eight Days, exclusive of any Days hereby appointed to be observed and kept as Holidays, next after such Writ shall have been delivered to him; provided always, that the Value of the Property so taken or distrained shall be ascertained by the said Sheriff in like Manner as the Value of Goods distrained is now ascertained by Law by the Sheriff in taking Security in Replevins, and that the said Bonds shall be assignable by the Sheriff under like Circumstances and in like Manner, and shall be available to the Assignee thereof, as by Law now or hereafter authorized in respect of Replevin Bonds.

If Plaintiff in Replevin be non-prossed or nonsuited, Defendant entitled to Judgment and Execution for his Rent.

CCXXX. If the Plaintiff in any such Action for Replevin of a Distress made for Rent shall be non-prossed for not filing his Summons and Plaint as aforesaid it shall be lawful for the Defendant to file a Suggestion in the Nature of a Plaint for Rent, and praying the Court to inquire the Cause of the Distress; and thereupon, or in case Judgment be given for the Defendant on Demurrer, it shall be lawful for the Court to issue a Writ of Inquiry to the Sheriff of the County wherein the Distress was taken, or to the Master of the Court, to inquire touching the Amount of Rent in Arrear at the Time of such Distress being taken, and the Value of the Goods or Chattels distrained, and such Inquiry shall be taken in the Manner herein-before provided upon Judgment by Default; and upon the Return of such Inquisition the Defendant shall have Judgment and Execution to recover against the Plaintiff the Arrears of Rent in case the Goods and Chattels shall amount to the Value, and in case they shall not amount to that Value then for so much as the Value of the said Goods and Chattels shall amount to, with his Costs of Suit in that Behalf incurred; and in case the said Plaintiff shall be nonsuit after Issue joined, or if the Verdict shall be given against the Plaintiff, then the Jurors empannelled to try such Issue shall, at the Prayer of the Defendant, inquire the Amount of the Rent due, and the Value of the Goods and Chattels distrained, and the Defendant shall have Judgment and Execution for such Arrears, or so much thereof as the Value of the Goods and Chattels distrained shall amount unto, together with his Costs of Suit in that Behalf incurred.

Amendment.

With respect to the Power of Amendment, so as to enable the said Courts and the Judges thereof to prevent the Failure of Justice by reason of Mistakes and Objections of Form:

Amendment.

CCXXXI. It shall be lawful for the Superior Courts of Common Law, and every Judge thereof, and any Judge sitting at Nisi Prius, at all Times to amend all Defects and Errors in any Writ, Pleading, Record, or other Proceeding in Civil Causes, whether there is anything in Writing to amend by or not, and whether the Defect or Error be that of the Party applying to amend or not; and all such Amendments may be made in such Manner as shall be thereby directed, and with or without Costs, and upon such Terms as to the Court or Judge may seem fit; and all such Amendments as may be necessary for the Purpose of determining in the existing Suit the real Question in controversy between the Parties shall be so made; and when such Amendment shall be made at Nisi Prius or upon any Inquiry, the Order shall be endorsed on the Abstract or Writ, and all Pleadings or other Records of the Court which it may be necessary to amend in conformity therewith shall be amended accordingly.

Regulation of Business.

With respect to the general Regulation of Business in the said Superior Courts of Law:

Holidays.

CCXXXII. The following, and none other, shall be observed and kept as Holidays in the said Superior Courts and the Offices thereof, and the Court of Exchequer Chamber, and in the Office of Registrar of Judgments; that is to say, every *Sunday*, *Christmas Day*, and the Seven Days following that Day, *Good Friday*, *Easter Eve*, *Monday* and *Tuesday* in *Easter* Week, *Whit Monday* and *Whit Tuesday*, any Day appointed for a Public Fast or Thanksgiving, and when they do not occur in Term Time the Day appointed to be kept as the Birthday and the Day of the Accession of Her Majesty the Queen or of any of Her Successors; and the said Holidays shall not be reckoned or included in any Notices or other Proceedings, except Notices of Trial and Notices of Inquiry in any of the said Courts; and *Sunday* shall not be reckoned or included in any Notice or Proceeding whatsoever; and where the last Day included in any such Notice of Trial or Notice of Inquiry shall happen to fall on any of the Days hereby appointed to be observed and kept as Holidays, in such Case the following Day, or, when there shall be consecutive Holidays, the Day following the last of such Holidays, shall be considered as the last of such Days; and the Days from and including the First Day of *August* to the Twentieth Day of *October* inclusive, in each Year, shall not be reckoned Days within which any Summons and Plaint, Defence, or other Pleading should be filed, nor shall any such Pleading be filed or received upon such Days except a Plea of Confession or Consent for Judgment.

CCXXXIII. It

CCXXXIII. It shall be lawful for the Judges of the said Courts, or any Seven or more of them, whereof Two shall be Chief Judges, from Time to Time to make all such General Rules and Orders for the effectual Execution of this Act, and for establishing a simple Code of Practice, Pleading, and Evidence in the said Courts, and in the Court of Error, in accordance with the Intention and Object of this Act, and for apportioning the Costs of Issues, and for fixing the Costs to be allowed for and in respect of the Matters herein contained, or prescribed by such General Orders, and the Performance thereof, and for the Purpose of enforcing Uniformity of Practice and Pleading in the said Courts and the Offices thereof, and of ensuring, as far as may be practicable, an equal Division of the Business amongst the said Courts, as in their Judgment shall be necessary or proper, and for that Purpose to meet from Time to Time as Occasion may require; and all such Rules and Orders as they shall so make shall be valid and effectual, and shall be observed in each of the said Courts and the Offices thereof, until varied or altered by the like Authority, anything in this Act to the contrary notwithstanding; and any Expenses which the Judges shall certify (as now required with reference to incidental Expenses) to have been properly incurred in giving Effect to the Provisions of this Act shall be charged and paid in like Manner and as Part of the incidental Expenses of the said Courts: Provided that nothing herein contained shall be construed to restrain the Authority or limit the Jurisdiction of the said Courts, or the Judges thereof, to make Rules or Orders, or otherwise to regulate and dispose of the Business therein.

General Rules may be made by the Judges.

CCXXXIV. The Nisi Prius Courts of the said Superior Courts of Common Law sitting at *Dublin* shall continue to be consolidated, and there shall be but One Common Court of Nisi Prius for the Trial at *Dublin* of Issues in Fact arising in any of the Courts, except as herein-after provided, which Court of Nisi Prius shall consist of One Judge or Baron of either of the said Superior Courts, to be chosen for that Purpose by the said Judges and Barons according to such Arrangement as they shall think proper, and in such Order of Rotation that each Court shall by One of its Judges or Barons take the Duty in Turn by Terms, and all Jurors, Witnesses, and other Persons shall be summoned or required to attend, and shall give their Attendance at or for the Trial of any Cause depending in any such Court, before such Judge as shall be sitting for the Trial thereof by virtue of this Act: Provided always, that all Causes intended to be tried at any Sittings at Nisi Prius at *Dublin* shall be entered for Trial with the Registrar of the Chief Judge of that Court of which One of the Judges is to sit, and all other Process and Proceedings for or relating to the Trials thereof shall be made and issued as herein-before required, but nevertheless the Trial of

Consolidated Court of Nisi Prius for the Trial of Issues arising in any of the Superior Courts.

of every Cause which shall be tried by virtue of this Act shall be entered and made of Record, as having been had and made before the Judge before whom such Cause shall happen to have been actually tried.

Such Court to sit continuously.

CCXXXV. Such Consolidated Nisi Prius Court shall sit continuously, or by Adjournment, as Occasion may require, on the Second Day of each Term, and thence continuously until the End thereof, or so much longer as may be necessary for the Completion of any Trial then in progress before the said Court; and Notice of Trial may be served for any Day within the said Period, subject, however, to such Regulations as to the Class of Cases to be tried in the said Court, or otherwise, as is herein-after expressed, or as the Judges, or any Seven of them, of whom Two shall be Chief Judges, may by any General Order make from Time to Time in that Behalf: Provided always, that nothing herein contained shall be construed to interfere with the Duty of the Chief Judge of each Court, as now discharged, of sitting after Term for the Trial of Issues at Nisi Prius, but that each of the said Chief Judges, or some other Judge of the Court in his Stead, shall, notwithstanding the Sittings at Nisi Prius herein provided, sit after Term as heretofore, for the Trial of any Issues at Nisi Prius arising in his Court which shall be entered as heretofore for such after Sittings; and provided also, that if any Issue or Issues entered for Trial in the said Consolidated Nisi Prius Court shall remain undisposed of at the Termination of the Sittings of the said Court for any Term, the same shall be transferred to and be deemed to have been entered for such after Sittings, and shall be taken up and disposed of respectively by the Chief Judge of the Court in which such Issues respectively shall have arisen as if the same had been originally entered for such after Sittings.

Officers of Consolidated Nisi Prius Court.

CCXXXVI. The Duty of attending such Consolidated Nisi Prius Court as Clerk of Nisi Prius shall be discharged by the Town Registrar of the Chief Justice or Chief Baron of the Court to which the Judge sitting at Nisi Prius shall belong; and if it shall happen that such Sitting at Nisi Prius shall not have terminated at any Time when the Chief Justice or Chief Baron shall require the Attendance of his said Registrar for the Purpose of such Nisi Prius Sittings in his own Court as aforesaid, then and in such Case it shall be lawful for the said Nisi Prius Judge to require the Attendance of any of the Assistants or Clerks belonging to his Court who can at such Time be spared from his Office Duties, to act as his temporary Clerk of Nisi Prius; and the Lords Chief Justices and Chief Baron, or any Two of them, shall, in case of a Vacancy in the Office of Crier, appoint a fit and proper Person to act as Crier of the said Nisi Prius Court, who shall be paid such Salary as the Commissioners of Her Majesty's Treasury shall direct, the

the same to be charged and included in the quarterly Accounts of incidental Expenses of the said Courts respectively, in like Manner and Proportions as the Salary of the Court Keeper of the Nisi Prius Court and other incidental Expenses common to the Three Courts are now charged.

Cases to be tried in Consolidated Nisi Prius Court.

CCXXXVII. The following shall, until otherwise provided by any General Order made as aforesaid, be the Class of Cases to be tried in the Consolidated Nisi Prius Court:

Actions for Rent; Actions on Bills of Exchange and Promissory Notes; Actions of Debt upon and to revive Judgments; Actions for Use and Occupation; Goods sold and delivered; Goods bargained and sold; Work and Labour; Money lent, Money paid, Money had and received, and on Account stated; Ejectments for Nonpayment of Rent, and against overholding Tenants, whether on Notice to quit or otherwise.

Judges of either Court may do Business depending in any of the Courts.

CCXXXVIII. Every Judge of the said Superior Courts of Common Law shall have full Power and Jurisdiction to sit in *Dublin*, as well in Term as in Vacation, for the Trial of Issues in Fact arising in any of the said Courts, and to transact in Chamber or elsewhere such Business depending in any of the said Courts as relates to Matters over which the said Courts have a common Jurisdiction, and as may, according to the Course and Practice of the Courts, be transacted by a single Judge.

Courts may hold Sitting in Vacation.

CCXXXIX. The said Superior Courts shall and may, at their Discretion, hold Sittings in Banco in Time of Vacation for the Purpose of disposing of Business therein pending and undecided in such Courts respectively, and such Sittings in Vacation may be holden by virtue of a Rule or Order of the said Courts respectively, to be made in or out of Term, whereof a Week's Notice (in such Form as the said Courts respectively shall direct) shall be published in the *Dublin Gazette*, and affixed in some conspicuous Place at the Entrance of such Court respectively making such Order; and that all Judgments to be pronounced at such Sittings in Banco, and all Rules and Orders in respect thereof to be made by virtue of this Act, shall have the same Effect to all Intents and Purposes as if they had been pronounced or made in Term Time.

Alteration of Forms.

New Forms of Writs and other Proceedings.

CCXL. Such new or altered Writs and Forms of Proceedings may be issued, entered, and taken as may by the Judges of the said Courts, or any Seven or more of them, of whom Two shall be Chief Judges, be deemed necessary or expedient for giving Effect to the Provisions herein-before contained, and in such Forms and such Variation from the Forms in the Schedule B. to this Act annexed as

the Judges of such Courts respectively shall from Time to Time think fit to order; and such Writs and Proceedings shall be acted upon and enforced in such and the same Manner as Writs and Proceedings of the said Courts are now acted upon and enforced, or as near thereto as the Circumstances of the Case will admit; and any existing Writ or Proceeding the Form of which shall be in any Manner altered in pursuance of this Act shall nevertheless be of the same Force and Virtue as if no Alteration had been made therein, except so far as the Effect thereof may be varied by this Act.

Schedules.

Schedules to form Part of Act.

CCXLI. The Schedules to this Act annexed shall be deemed to be a Part of this Act, and the Forms therein given may be used with such Modification and Departures as the particular Facts of the Case may render necessary, but no verbal or technical Error or Omission in the following of the same shall be fatal; and all Departures, Errors, or Omissions, which have not a manifest Tendency to mislead or prejudice the opposite Party in the Merits of his Case, shall be deemed to be technical and immaterial.

Schedule of Law Fund Duties.

CCXLII. The several Duties set forth in the Schedule D. to this Act annexed shall be the respective Law Fund Duties on the Proceedings in Actions in the said Superior Courts of Law in *Ireland*, and shall be in lieu and stead of the existing Duties in respect of the same Subject Matter; and the like Penalties, Forfeiture, and Remedies for the Enforcement and Recovery of the same, shall attach upon the said Duties as previously existed in respect of the Law Fund Duties heretofore in force.

Schedule of Fees and Costs.

CCXLIII. The several Fees mentioned and set forth in the Schedule E. to this Act annexed shall be the Fees chargeable against any Party, Plaintiff or Defendant, in respect of the specified Items of Proceedings to which the same shall be applicable until the same shall be altered or amended by any General Rule of the Judges under the Powers herein-before given; and the said Judges are hereby required, by a General Order, to settle a Schedule of Fees to be allowed in Taxation of Costs of Proceedings under this Act, having regard to the said Schedule E. to this Act annexed: Provided always, that in case the Plaintiff in any Action of Contract (except for Breach of Promise of Marriage) shall recover, exclusive of Costs, less than Twenty Pounds, or in any Action for any Wrong or Injury disconnected with Contract (except Replevin, or for Slander, Libel, malicious Prosecution, Seduction, or criminal Conversation,) a Sum not exceeding Five Pounds, the Plaintiff in any such Action shall be entitled to no more than One Half of the ordinary Costs, unless the Action has been brought for the Purpose of trying a Right to Property more extensive than the Sum sued for.

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SCHEDULE A.

ACTS TO BE REPEALED;

In so far as in the foregoing Act declared.

Date of Act.	Title of Act.	Extent of Repeal.
38 Hen. 6. c. 1. -	An Act that none shall sue Actions in the Exchequer unless the Plaintiff be Minister to the Exchequer, or Servant to any Minister of Record of the Exchequer, upon Pain of 10*l.*	The entire Act.
3 Edw. 4. c. 2. - -	An Act what Fees Attornies in the King's Court shall take, and what Fees shall be paid for Writs and other Records.	The entire Act.
7 Edw. 4. c. 4. - -	An Act for removing of the Exchequer and Common Pleas.	The entire Act.
28 Hen. 8. c. 21. -	The Act of Penal Statutes - - - -	The entire Act.
33 Hen. 8. sess. 2. c. 3.	An Act touching Mispleading and Jeofails -	The entire Act.
11 Eliz. sess. 3. c. 2. -	An Act for the making of the Trinity Term shorter, and for the Commencement thereof.	The entire Act.
10 Car. 1. sess. 2. c. 6.	An Act for Limitation of Actions, and for avoiding of Suits in Law.	Sections 14. 15. and 17.
10 Car. 1. sess. 2. c. 11.	An Act for Expedition of Justice in Cases of Demurrers, &c.	The entire Act.
10 Car. 1. sess. 2. c. 12.	An Act for Reformation of Jeofails, &c. - -	The entire Act.
10 Car. 1. sess. 2. c. 15.	An Act that like Process shall be had in Writ of Annuity and certain other Actions as in an Action of Debt.	The entire Act.
10 Car. 1. sess. 2. c. 16.	An Act for Ease in pleading against troublesome and contentious Suits prosecuted against Sheriffs, Justices of the Peace, Mayors, Constables, and certain other Officers, for the lawful Execution of their Office.	The entire Act.
15 Car. 1. c. 5. - -	An Act against Discontinuance of Writs of Error in the Court of Exchequer, and for the better Expedition in giving Judgment therein.	The entire Act.
17 & 18 Car. 2. c. 12. -	An Act to prevent Arrests of Judgment and superseding Executions.	The entire Act.
7 W. 3. c. 7. - -	An Act for reviving Two Statutes lately expired and making them perpetual, and for avoiding unnecessary Suits and Delays.	The entire Act.
7 W. 3. c. 25. - -	An Act for the Prevention of Vexations and Oppressions by Arrests, and of Delays in Suits of Law.	Sections 7. 8. 9. 10. and 11.
9 W. 3. c. 10. - -	An Act for preventing frivolous and vexatious Law Suits, and giving Remedy to the Parties grieved to recover their Costs at Law in certain Cases where heretofore no Costs were given.	Sections 6. 7. 8. and 9.
6 Anne, c. 7. - -	An Act for lessening Sheriffs Fees on Execution	Sections 1. and 2.
6 Anne, c. 10. - -	An Act for the Amendment of the Law, and the better Advancement of Justice.	Sections 1. 2. 3. 4. 17. and 23.
8 Anne, c. 9. - -	An Act for delivering Declarations to Prisoners.	The entire Act.

Courts of Common Law (Ireland).

Date of Act.	Title of Act.	Extent of Repeal.
2 G. 1. c. 11. - -	An Act for reviving and amending an Act intituled "An Act for Recovery of small Debts in "a summary Way before the Judges of Assize."	Sections 14. and 15.
6 G. 1. c. 6. - -	An Act to prevent Delays in Writs of Error, and for the further Amendment of the Law.	Sections 1. 2. 3. 4. and 18.
8 G. 1. c. 4. - -	An Act for the more effectual quieting and securing Possessions, and preventing vexatious Suits at Law.	Sections 1. and 2.
5 G. 2. c. 4. - -	An Act for the further explaining and amending the several Laws for preventing Frauds committed by Tenants, and for the more easy Renewal of Leases; and for the further Amendment of the Law in certain Cases therein mentioned.	Sections 7. and 8.
25 G. 2. c. 8. - -	An Act for the better adjusting and more easy Recovery of the Wages of certain Servants, and for the better Regulation of such Servants, and of certain Apprentices; and for the Punishment of all such Owners of Coal and their Agents as shall knowingly employ and set at Work Persons retained in the Service of other Coal-owners; and also that mutual Debts between Party and Party be set one against the other.	Section 8.
21 & 22 G. 3. c. 18. -	An Act for enlarging the Time for Trials by Nisi Prius in the City of Dublin and County of Dublin, and for making the Process of the Court of Exchequer more effectual against Persons who being served therewith refuse to appear.	The entire Act.
28 G. 3. c. 31. - -	An Act for the Amendment of the Law in certain Particulars therein mentioned.	Section 2.
43 G. 3. c. 53. - -	An Act to render the Process of His Majesty's Courts of King's Bench, Common Pleas, and Exchequer in personal Actions in Ireland more beneficial, and also to prevent frivolous and vexatious Arrests, and to repeal so much of an Act passed in the Parliament of Ireland in the Twenty-first and Twenty second Years of the Reign of His present Majesty, intituled "An "Act for enlarging the Time for Trials by Nisi "Prius in the City and County of Dublin, and for "making the Process of the Court of Exchequer "more effectual as relates to compelling the Ap-"pearance of Defendants in Personal Actions."	Sections 1. 2. 6. 7. and 8.
1 G. 4. c. 68. - -	An Act for the better Administration of Justice in the Court of Exchequer Chamber in Ireland.	Section 8.
9 G. 4. c. 14. - -	An Act for rendering a written Memorandum necessary to the Validity of certain Promises and Engagements.	Sections 1. 2. 3. and 4.
9 G. 4. c. 15. - -	An Act to prevent a Failure of Justice by reason of Variances between Records and Writings produced in Evidence in support thereof.	The entire Act.
1 & 2 W. 4. c. 31. -	An Act to improve the Administration of Justice in Ireland.	Sections 2. 5. 14. 15. 16. 17.
3 & 4 W. 4. c. 91. -	An Act for consolidating and amending the Laws relative to Jurors and Juries in Ireland.	Sections 10. and 12.
3 & 4 Vict. c. 105. -	An Act for abolishing Arrest on Mesne Process in Civil Actions, except in certain Cases, and for extending the Remedies of Creditors against the Property of Debtors, and for the further Amendment of the Law and the better Advancement of Justice in Ireland.	Sections 7. 20. 23. 24. 32. 33. 34. 35. 36. 37. 38. 39. 44. 46. 47. 48. 49. 50. 51. 52., except so far as relates to the Jurisdiction of a Court of Equity.
12 Vict. c. 16. - -	An Act to protect Justices of the Peace in Ireland from vexatious Actions for Acts done by them in the Prosecution of their Office.	Section 10.

Courts of Common Law (Ireland).

Date of Act.	Title of Act	Extent of Repeal.
13 Vict. c. 18. - -	An Act for the Regulation of Process and Practice in the Superior Courts of Common Law in Ireland.	Sections 1. 2. 3. 5. 6. 7. 8. 9. 10. 11. 12. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 25. 26. 27. 28. 31. 38. 39.
14 & 15 Vict. c. 57. -	An Act to consolidate and amend the Laws relating to Civil Bills and the Courts of Quarter Sessions in Ireland, and to transfer to the Assistant Barrister certain Jurisdiction as to Insolvent Debtors.	Section 40.

SCHEDULE B.

FORMS OF PROCEEDINGS.

No. 1.—*Summons and Plaint in Personal Actions.*

Court of Queen's Bench,

Victoria, *&c. &c.* to the said Richard Roe, greeting.

John James of Westmoreland Street, in the City of Dublin, Grocer, Plaintiff.
Richard Roe, of Mallow, in the County of Cork, Esquire, Executor of Henry Roe, Defendant.
County of the City of Dublin.

Richard Roe, the Defendant, is summoned to answer the Complaint of John James, who complains, That the Defendant is Executor of Henry Roe, deceased, of Mallow, in the said County of Cork, and that, as such Executor, he is indebted to the Plaintiff in the Sum of £140 on account of Goods sold and delivered by the Plaintiff to the said Henry Roe of the Value of £140, the Particulars of which are endorsed hereon [*or* annexed hereto].

And the Plaintiff prays Judgment against the said Defendant to recover the said Sum of £140 [and Interest thereon], and his Costs of Suit.

Therefore the Defendant is hereby required to appear in the said Court, within Twelve Days after the Service hereof, and answer the said Complaint, or in default thereof Judgment shall be given according to Law.

Witness the Lord Chief Justice and other Justices of Her Majesty's Court of Queen's Bench at Dublin.

Dated Monday the 20th Day of January 1854.

WILLIAM THOMPSON, Attorney for the Plaintiff,
No. 12, Clare Street, Dublin.

Endorsement of Particulars.

Jan. 1, 1850.—By Amount of Goods furnished as per Account furnished 1st December 1853 - - - -	£200	0	0
Dec. 10, 1853.—By Cash received on account -	60	0	0
Balance due Plaintiff - -	£140	0	0

No. 2.—*Appearance and Defence.*

Court of Queen's Bench,
Saturday, the 30th Day of January 1854.

John James, Plaintiff.
Richard Roe, Executor of Henry Roe, Defendant.

The said Richard Roe appears and takes Defence to the Action of the said John James, and says that the Goods sold and delivered to Henry Roe were of the Value of £80, and no more; and that the said Sum of £80 has been paid by the Defendant to the Plaintiff, and is sufficient to satisfy the Plaintiff's Demand, and therefore he defends the Action.

EDWARD MOLONEY, Attorney for the Defendant,
No. 14, Capel Street, Dublin.

Endorsement of Particulars of Payment.

Aug. 1, 1851.—	By Cash paid Plaintiff by the Defendant - -	£45
„	By Defendant's Acceptance, dated at Three Months	35
		£80

No. 3.—*Demurrer to a Plaint or Defence.*

Court of Queen's Bench,
Saturday, the 26th Day of February 1854.

John James, Plaintiff,
Richard Roe, Executor of Henry Roe, Defendant.

The said Richard Roe, the Defendant, appears and says, that the Summons and Plaint does not disclose any Cause of Action good in Substance, because that no sufficient Consideration for the alleged Promise of the Defendant as Executor of the said Henry Roe is stated therein, to render the said Defendant liable to pay the Debt of the said Henry Roe.

EDWARD MOLONEY, Attorney for the Defendant,
No. 14, Capel Street, Dublin.

No. 4.—*Judgment by Default for Want of Defence.*

Court of Queen's Bench, on Monday, the 20th Day of June, A.D. 1854 (*Day of signing Judgment*).

County of the City of Dublin.

John James, by William Thompson, his Attorney, sued out a Writ of Summons and Plaint against Richard Roe, claiming the Sum of £140 for Debt on account of a Bill of Exchange drawn by Henry Jasper, dated the 15th Day of October 1853, and endorsed by the said Richard Roe.

And the said Richard Roe has not appeared to take Defence; but the Service of such Writ and the Contents of said Plaint have been duly verified.

Therefore it is considered that the said John James do recover against the said Richard Roe the Sum of £140, together with for Costs.

No. 5.—*Abstract for Nisi Prius.*

Court of Queen's Bench,
Monday, the 20th Day of March, A.D. 1854.

County of Sligo, to wit.

John James, Plaintiff.
Richard Roe, Defendant.

Whereas John James, the Plaintiff, has sued Richard Roe, the Defendant, and demanded the Sum of £150 as the Price and Value of 130 Barrels of Wheat sold and delivered to the Defendant;

And the said Richard Roe has taken Defence, and admits the Delivery of the Wheat, but has alleged that he paid the Sum of £130 to the Plaintiff before the Commencement of this Action, and that such Payment was a full Satisfaction of the Value of said Wheat, and that said Wheat was not sound and merchantable at the Time of its Delivery to the Plaintiff:

Therefore let the Jury try—

1st. Whether the said Wheat was sound and merchantable at the Time of its Delivery.

2d. Whether the Value of said Wheat exceeded the Sum of £130.

ROBERT JONES, Attorney for Plaintiff.
HENRY GREEN, Attorney for Defendant.

No. 6.—*Bill of Exceptions.*

Court of Queen's Bench,
Monday, 20th Day of July 1854.

John James, Plaintiff.
Richard Roe, Defendant.

The Issues in Fact in the annexed Abstract of Nisi Prius having come to be tried by a Jury on this Day, the Plaintiff produced and examined as a Witness one *G.H.* to prove the Fact of [*&c. &c.*]; and the said *G.H.* deposed that [*&c. &c.*], which Evidence the Defendant objected to as not being legal Evidence of the Fact; and the Plaintiff insisting to the contrary the Judge at Nisi Prius admitted the Evidence to be received accordingly, and therefore the Defendant excepts, and prays that his Exception shall be placed upon the Record for the Examination of the Court above.

(Signed) *L.M.*, Counsel for Defendant.
L.P., Judge.

No. 7.—*Order of Attachment of Stock.*

Court of Queen's Bench,
Monday, 20th Day of June 1854.

John James, Plaintiff.
Richard Roe, Defendant.

By the Right Honourable Mr. Justice Moore.

It appearing to the Court that the Plaintiff hath recovered Judgment against the Defendant in the Sum of £300, and that such Judgment is still unsatisfied; and it also appearing that the Defendant is possessed of a Sum of £200 Government 3½ per Cent. Stock, standing in his own Name in the Books of the Governor and Company of the Bank of Ireland;

The said Sum of £200, and all Dividends thereon, are hereby attached to answer the said Debt until further Order: and the said Governor and Company of the Bank of Ireland are hereby ordered and required not to suffer the same, or any Part thereof, to be transferred, paid, or dealt with until further Order.

RICHARD MOORE, Justice.
CHRISTOPHER DUFF, Clerk of the Rules.

No. 8.—*Satisfaction Piece, Affidavit, and Requisition to enter Satisfaction on Judgment.*

A B. Plaintiff.
C.D. Defendant.

I *A.B.* of did obtain a Judgment in the Court of as of Term 18 Roll No. against *C.D.* for the Sum of which said Judgment has been fully satisfied and discharged; and I hereby consent that Satisfaction be entered on the Record of said Judgment.

Dated this Day of 18 .

Signed in Presence of *E.F.* *A.B.*

The above-named *E.F.* of this Day maketh Oath and saith, that he is the subscribing Witness to, and saw the above Consent duly executed by *A.B.* of and saith, that the Name *E.F.* subscribed as Witness to the above Consent is Deponent's proper Name and Handwriting. (Signed) *E.F.*

Sworn before me, this

Now, I *G.H.* of a practising Attorney of this Honourable Court, do hereby on behalf of the Defendant require the proper Officer to enter Satisfaction on the Record of said Judgment.

(Signed) *G.H.*, Attorney.

To the Master of the Court of

No. 9.

No. 9.—*Suggestion of Breaches.*

Queen's Bench,
Monday, the 20th Day of June 1854.

John James, Plaintiff.
Richard Roe, Defendant.

And now on this Day the said John James, the Plaintiff, comes and informs the Court that after the Recovery of the said Judgment, and on the 1st Day of April 1853, another half-yearly Gale of the said Annuity, amounting to the Sum of £100, became due and payable to the Plaintiff, and that the Defendant has neglected and refused to pay the same, in breach and violation of the Conditions of the said Bond upon which the Plaintiff recovered such Judgment, and therefore the Plaintiff prays Execution of the said Judgment for the further Sum of £100.

No. 10.—*Suggestion for Execution against the Judgment Debtor.*

John James, Plaintiff.
Richard Roe, Defendant.

And now, on the 26th Day of June 1854, it is suggested, and manifestly appears to the Court, that the said *A.B.* [*or C.D.*, as such Executor of the last Will and Testament of the said *A.B.* deceased, *or as the Case may be*,] is entitled to have Execution of the Judgment aforesaid against the said *E.F.* [*or* against *G.H.*, as Executor of the last Will and Testament of the said *E.F.*, *as the Case may be*]: Therefore it is considered by the Court that the said *A.B.* [*or C.D.*, as such Executor as aforesaid, *or as the Case may be*], ought to have Execution of the said Judgment against the said *E.F.* [*or* against *G.H.*, as such Executor as aforesaid, *or as the Case may be.*]

No. 11.—*Form of Writ of Revivor.*

In the Queen's Bench,

Victoria, *&c. &c.* to the said Richard Roe, greeting.

County of Clare.

John James, Plaintiff.
Richard Roe, Defendant.

Richard Roe, the Defendant, is summoned to appear and show Cause wherefore Edward Jones, Executor of the said John James, shall not * have Execution against the said Richard Roe, of a Judgment whereby John James, on the 1st Day of June 1850, in the said Court of Queen's Bench, recovered against the said Richard Roe the Sum of £300, and of which Sum the said Edward Jones alleges that there remains due and unsatisfied the Sum of 100*l.*

Therefore the said Richard Roe is hereby required to appear in the said Court within Eight Days after the Service hereof, and show Cause wherefore Execution should not be had accordingly; or in default thereof the said Edward Jones may proceed to Execution for said Sum of £100 and his Costs.

Witness the Lord Chief Justice and other Justices of Her Majesty's Court of Queen's Bench at Dublin.

Dated Monday the 26th Day of April 1854.

WILLIAM THOMPSON, Attorney for the said Edward Jones,
No. 12, Clare Street, Dublin.

No. 11 A.—*Like in case of Interlocutory Judgment.*

[*Proceed as in last Form to the Asterisk* *, *and then as follows*:]—assess and recover [*or* recover] the Damages in respect of a Judgment whereby the said John James on the 1st Day of June 1850, in the said Court of Queen's Bench, was adjudged in that Behalf entitled, and which Inquiry of Damages as yet remains to be made [*if the Case be so*].

Therefore the said Richard Roe is hereby required to appear in the said Court within Eight Days after the Service hereof, and show Cause wherefore the said Assessment should not be made [*if not made*] and Recovery had as aforesaid, or in default thereof the said Edward Jones may proceed to assess and recover [*or* to recover] such Damages against the said *C.D.*

Witness, the Lord Chief Justice and other Justices of Her Majesty's Court of Queen's Bench at Dublin.

Dated Monday the 4th Day of April 1854.

WM. THOMPSON, Attorney for the said *E.F.*,
No. 12, Clare Street, Dublin.

No. 12.—*Memorandum of Error.*

In the Queen's Bench,
the 20th Day of April 1854.

[*The Day of lodging Note of Error.*]

A.B. and *C.D.*

The Plaintiff [*or* Defendant] says that there is Error in Law in the Record and Proceedings *in this Action.*

(Signed) *A.B.*, Plaintiff.
[*or C.D.*, Defendant.]
[*or E.F.*, Attorney for Plaintiff *or* Defendant.]

[*In case the Plaintiff has died after Judgment and before Error brought by his legal Representative, say, A.B.* and *C.D.*—*E.F.* says that the Plaintiff *A.B.* is dead, and that the said *E.F.* is the Executor of the last Will and Testament of *A.B.* [*as the Case may be*], and further says that there is Error, *&c. &c. as above.*]

No. 13.—*Suggestion of Joinder in Error in Law.*

Monday, the 20th Day of June 1854.

[*The Day of making the Entry on the Roll.*]

The Plaintiff [*or* Defendant] says that there is Error in the above Record and Proceedings, and the Defendant [*or* Plaintiff] says there is no Error therein.

No. 14.—*Memorandum of Error in Fact.*

In the Queen's Bench,
the 26th Day of May 1854.

[*The Day of lodging Note of Error.*]

A.B. and *C.D.* in Error.

The Plaintiff [*or* Defendant] says that there is Error in Fact in the Record and Proceedings in this Action, in the Particulars specified in the Affidavit hereunto annexed.

(Signed) *A.B.*, Plaintiff.
[*or C.D.*, Defendant.]
[*or E.F.*, Attorney for Plaintiff *or* Defendant.]

No. 15.—*Summons and Plaint in Ejectment.*

Court of Queen's Bench.

Victoria, *&c. &c.* to the said *G.H.* and *I.K.* and all Persons concerned, greeting.

A.B, C.D., and E F., Plaintiffs.
G.H. and others, Defendants.
County of Leitrim.

G.H. and *I.K.*, the Defendants, have been summoned to answer the Complaint of *A.B.*, *C.D.*, and *E.F.*, the Plaintiffs, who complain that * the Plaintiffs, or some or One of them, on the 1st Day of July 1853, became and were and are still entitled to the quiet and peaceable Possession of the Lands of Blackacre in the County of Leitrim, and the Defendant wrongfully assumed the Possession thereof, and still withholds the same from the Plaintiffs.

And therefore the Plaintiffs pray Judgment against the said Defendants to recover the Possession of said Lands or Premises; [*and in case of Ejectment on the Title where the Plaintiffs seek to recover Mesne Rates, add* and compensation in Damages for the Loss of the Mesne Rates and Profits of the said Premises while the Possession thereof was withheld from the said Plaintiffs, to the Amount of £] Therefore [*&c. &c., as in Form* 1.]

In case of Ejectment for Nonpayment of Rent copy last Form to the Asterisk (*), *and then say*, that the Defendant holds the Lands of Blackacre, in the County of Leitrim, as Tenant to the Plaintiffs under a Lease, at the yearly Rent of £50, and that the Sum of £80, being for One Year and upwards of such Rent, due and ending on the 1st Day of January 1854, is due to the Plaintiffs. And therefore [*&c. &c., as in last Form*].

Endorsement of Particulars of Rent due on Ejectment for Nonpayment of Rent.

1st Jan. 1853.—By Balance Year's Rent, due on this Day -	£30	0	0
1st Jan. 1854.—By One Year's Rent due - - -	50	0	0
	£80	0	0

No. 16.

No. 16.—*Defence in Ejectment on the Title.*

Queen's Bench, Thursday, 20th Day of April 1854.

A.B., C.D., and E.F., Plaintiffs.
G.H. and others, Defendants.

George Hines, One of the Defendants, appears and takes Defence for the said Lands of Blackacre, and says that the said Plaintiffs are not entitled to the Possession of them, and that the said Possession belongs to the said George Hines, as of Right, and therefore he defends the Action.

EDWARD MOLONEY, Attorney for the said George Hines, No. 14, Capel Street, Dublin.

No. 17.—*Defence in Ejectment for Nonpayment of Rent.*

A.B., C.D., and E.F., Plaintiffs.
G.H. and others, Defendants.

George Hines, One of the Defendants, and Tenant to the Lands of Blackacre, appears and takes Defence and says, that the Rent of the said Premises is not in arrear, and that the Defendant paid the said Rent and every Part thereof to the said Plaintiffs before the Commencement of this Action, and therefore he defends as aforesaid.

EDWARD MOLONEY, Attorney for the said George Hines, No. 14, Capel Street, Dublin.

Endorsement of Particulars of Payment.

1 June 1854.—By Cash paid by Defendant, George Hines, to Plaintiff, £140.

No. 18.—*Judgment by Default in Ejectment for all the Lands.*

In the Queen's Bench, the 26th Day of June 1854.

[*Date of Writ.*]

A.B., Plaintiff.
C.D., Defendant.
County of Leitrim, to wit.

On the Day and Year above written, a Writ of Summons and Plaint issued forth returnable into this Court in these Words; that is to say, [*here copy the Writ*]; and no Appearance and Defence has been entered to the said Writ: Therefore it is considered that the said [*here insert the Names of the Plaintiffs in the Writ*] do recover Possession of the Land in the said Writ mentioned, with the Appurtenances.

No. 19.—*Judgment by Default in Ejectment for Part.*

In the Queen's Bench, on the 26th Day of June, A.D. 1854.

County of Leitrim, to wit.

On the Day and Year above written, a Writ of Summons and Plaint issued forth returnable into this Court, in these Words; that is to say, [*here copy the Writ*]; and *C.D.* has, on the 1st Day of May, appeared by Edward Maloney, his Attorney, [*or* in Person,] to the said Writ, and has defended for a Part of the Land in the Writ mentioned; that is to say [*here state the Part*]; and no Appearance or Defence has been

been entered to the said Writ, except as to the said Part: Therefore it is considered that the said *A.B.* [*the Plaintiff*] do recover Possession of the Land in the said Writ mentioned, except the said Part, with the Appurtenances, and that he have Execution thereof forthwith; and as to the rest, let a Jury come, *&c.*

No. 20.—*Abstract for Nisi Prius.*

In the Queen's Bench,
Monday, the 26th Day of June 1854.

County of Wicklow, to wit.

John James, Plaintiff.
Richard Roe, Defendant.

Whereas John James, the Plaintiff, has sued Richard Roe, the Defendant, for the Recovery of the Possession of the Lands of Blackacre, claiming Title thereto from the 20th Day of January 1850; and the said Richard Roe has taken Defence for the whole of the Land mentioned in the Summons and Plaint: Therefore let the Jury try whether the Plaintiff was entitled to the Possession of the said Lands, or any Part of them, on the said Day, or at any Time subsequent to such Day, and before the Commencement of the Action, and whether the Plaintiff is entitled to any and what Damages for Loss of mesne Rates and Profits.

No. 21.—*Judgment on Discontinuance in Ejectment.*

In the Queen's Bench on the 26th Day of June,
A.D. 1854.

[*Date of Writ.*]

Leitrim, to wit.

On the Day and Year above written a Writ of Summons and Plaint issued forth returnable into this Court in these Words; that is to say, [*here copy the Writ*]; and *C.D.* has on the 18th Day of July appeared by Henry Robinson, his Attorney, [*or* in Person,] to the said Writ, and *A.B.* has discontinued the Action: Therefore it is considered that the said *C.D.* be acquitted, and that he recover against the said *A.B.* £ for his Cost of Defence.

No. 22.—*Judgment on Confession in Ejectment.*

In the Queen's Bench, the 30th Day
of June 1854.

[*Date of Writ.*]

Leitrim, to wit.

On the Day and Year above written a Writ of Summons and Plaint in Ejectment issued forth returnable into this Court in these Words; that is to say, [*here copy the Writ*]; and *C.D.* has on the 1st Day of January appeared by Henry Roe, his Attorney, [*or* in Person,] to the said Writ; and the said *C.D.* has confessed the said Action [*or* has confessed the said Action as to Part of the said Land, that is to say, *here state the Part*]: Therefore it is considered that the said *A.B.* do recover Possession of the Land in the said Writ mentioned [*or* of the said Part of the said Land], with the Appurtenances, and £ for Costs.

No. 23.—*Writ of Replevin.*

Writ of Replevin.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, and so forth: To the Sheriff of greeting: We command you, that without Delay you cause to be replevied to *A.B.* his Goods and Chattels (and Cattle), to wit, which *C.D.* took and unjustly detains, as it is said, and after what Manner you shall have executed this our Writ make appear to us [*or* to our Justices *or* Barons, *as the Case may be*] at the Queen's Courts, Dublin, and have there this our Writ.

Witness the Seal of our Superior Courts of Common Law hereunto set at Dublin the Day of in the Year of our Lord 1851.

Issued by of No. , Dublin, Attorney for said *A.B.*

SCHEDULE C.

FORMS OF PLEADINGS.

Statements of Causes of Action.

On Contracts.

Goods sold.

1. Money payable by the Defendant to the Plaintiff for [*these Words,* Money payable, *&c., should precede Statement of Causes of Action like* 1 *to* 9, *but need only be inserted in the first*] Goods bargained and sold by the Plaintiff to the Defendant.

Work and Materials.

2. Work done and Materials provided by the Plaintiff for the Defendant at his Request.

Money lent.

3. Money lent by the Plaintiff to the Defendant.

Money paid.

4. Money paid by the Plaintiff for the Defendant at his Request.

Money received.

5. Money received by the Defendant for the Use of the Plaintiff.

Account stated.

6. Money found to be due from the Defendant to the Plaintiff on Accounts stated between them.

For an Estate sold.

7. A Messuage and Lands sold and conveyed by the Plaintiff to the Defendant.

For the Use of a House and Land.

8. The Defendant's Use, by the Plaintiff's Permission, of Messuages and Lands of the Plaintiff.

For the Hire of Goods, &c.

9. The Hire of [*as the Case may be*], by the Plaintiff let to Hire to the Defendant.

Payee against Maker of Note.

10. That the Defendant on the Day of A.D. by his Promissory Note, now over-due, promised to pay to the Plaintiff £ *Two* Months after Date, but did not pay the same.

Endorsee against Endorser of Note.

11. That one *A.*, on, *&c.* [*Date*], by his Promissory Note, now over-due, promised to pay to the Defendant, or Order, £ [*Two*] Months after Date, and the Defendant endorsed the same to the Plaintiff, and the said Note was duly presented for Payment, and was dishonoured, whereof the Defendant had due Notice, but did not pay the same.

12. That

Courts of Common Law (Ireland).

12. That the Plaintiff, on, &c. [*Date*], by his Bill of Exchange, now over-due, directed to the Defendant, required the Defendant to pay to the Plaintiff £ *Two* Months after Date, and the Defendant accepted the said Bill, but did not pay the same. Drawer against Acceptor of Bill

13. That the Defendant, on, &c. [*Date*], by his Bill of Exchange directed to *A.*, required *A.* to pay to the Plaintiff £ [*Two*] Months after Date, and the said Bill was duly presented for Acceptance, and was dishonoured, of which the Defendant had due Notice, but did not pay the same. Payee against Drawer.

14. That the Plaintiff and Defendant agreed to marry one another, and a reasonable Time for such Marriage has elapsed, and the Plaintiff has always been ready and willing to marry the Defendant, yet the Defendant has neglected and refused to marry the Plaintiff. Breach of Promise of Marriage.

15. That the Defendant, by warranting a Horse to be then sound and quiet to ride, sold the said Horse to the Plaintiff, yet the said Horse was not then sound and quiet to ride. Warranty of a Horse.

16. That the Plaintiff let to the Defendant a House, No. 54, Baggot Street, for Seven Years, to hold from the Day of A.D. at £ a Year, payable quarterly, of which Rent Quarters are due and unpaid. Upon a Lease for Rent.

17. That the Plaintiff by Deed let to the Defendant a House, No. 40, Great Britain Street, to hold for Seven Years from the Day of A.D. , and the Defendant by the said Deed covenanted with the Plaintiff well and substantially to repair the said House during the said Term [*according to the Covenant*], yet the said House was during the said Term out of good and substantial Repair. Upon a Covenant to repair.

For Wrongs independent of Contract.

18. That the Defendant broke and entered certain Land of the Plaintiff, called the Big Field, and depastured the same with Cattle. Trespass to Land.

19. That the Defendant assaulted and beat the Plaintiff, gave him into Custody to a Policeman, and caused him to be imprisoned in a Police Office. Assault, Battery, and false Imprisonment.

20. That the Defendant debauched and carnally knew the Plaintiff's Wife. Criminal Conversation.

21. That the Defendant converted to his own Use the Plaintiff's Goods; that is to say, Household Furniture [*or as the Case may be*]. Wrongful Conversion of Goods.

22. That the Defendant detained from the Plaintiff his Title Deeds of Land called Belmont, in the County of ; that is to say [*describe the Deeds*]. Wrongful Detention of Property.

23. That the Plaintiff was possessed of a Mill, and by reason thereof was entitled to the Flow of a Stream for working the same; and the Defendant, by cutting the Bank of the said Stream, diverted the Water thereof away from the said Mill. Diverting Water from a Mill.

24. That the Plaintiff was the first and true Inventor of a certain new Manufacture, that is to say, of "certain Improvements in the Manufacture of Sulphuric Acid," and thereupon Her Majesty Queen Victoria, by Letters Patent under the Great Seal of England, granted the Plaintiff the sole Privilege to make, use, exercise, and vend the said Invention within Ireland for the Term of Fourteen Years from the Day of A.D. Infringement of a Patent.

subject

subject to a Condition that the Plaintiff should, within Six Calendar Months next after the Date of the said Letters Patent, cause to be enrolled in the High Court of Chancery an Instrument in Writing under his Hand and Seal, particularly describing and ascertaining the Nature of his said Invention, and in what Manner the same was to be and might be performed, and the Plaintiff did, within the Time prescribed, fulfil the said Condition, and the Defendant during the said Term did infringe the said Patent Right.

Defamation of Character.

25. That the Defendant falsely and maliciously spoke and published of the Plaintiff the Words following, that is to say, "he is a Thief;"

[*If there be any special Damage, here state it with such reasonable Particularity as to give Notice to the Defendant of the peculiar Injury complained of; for instance,*]

whereby the Plaintiff lost his Situation as Gamekeeper in the Employ of *A*.

26. That the Defendant falsely and maliciously printed and published of the Plaintiff, in a Newspaper called " ," the Words following, that is to say, "he is a regular Prover under Bankruptcies," the Defendant meaning thereby that the Plaintiff had proved and was in the habit of proving fictitious Debts against the Estates of Bankrupts, with the Knowledge that such Debts were fictitious.

Pleas in Actions on Contracts.

Denial of Debt.

27. That he never was lent the Money as alleged.

28. That he did not accept the Bill as alleged.

Denial of Deed.

29. That he never executed the alleged Deed.

Statute of Limitations.

30. That the alleged Cause of Action did not accrue within Six Years [*state the Period of Limitation applicable to the Case*] before this Suit.

Payment.

31. That before Action he satisfied and discharged the Plaintiff's Claim by Payment of the said Sum of £50 in the Time and Manner herein endorsed.

Set-off.

32. That the Plaintiff at the Commencement of the Suit was and still is indebted to the Defendant in an Amount equal to the Plaintiff's Claim, for [*here state the Cause of Set-off as in a Summons and Plaint, see Forms ante*], which Amount the Defendant is willing to set-off against the Plaintiff's Claim.

Release.

33. That after the alleged Claim accrued, and before this Suit, the Plaintiff by Deed released the Defendant therefrom.

Pleas in Actions for Wrongs independent of Contract.

Not guilty.

34. That he did not assault the Plaintiff as alleged.

Leave and Licence.

35. That he did what is complained of by the Plaintiff's Leave.

Self-defence.

36. That the Plaintiff first assaulted the Defendant, who thereupon necessarily committed the alleged Assault in his own Defence.

SCHE-

BENGAL SECRETARIAT LIBRARY

SCHEDULE D.

LAW FUND DUTIES ON PROCEEDINGS UNDER FOREGOING ACT.

	£	s.	d.
Affidavits	0	2	0
Attested Copy of any Pleading, Judgment, Affidavit, &c. &c., per Folio of 72 Words	0	0	4
Copy of any Rule	0	2	0
Rule or Order of every Description	0	2	0
Summons and Plaint, Defences, Demurrers, Consents for Judgment, and other Pleadings	0	2	0
Writs of Subpœna, Execution, and all other Writs whatsoever	0	2	0
Abstract for Nisi Prius	0	10	0
Report of Master	0	10	0
Requisition to enter Judgment, whether Final or Interlocutory, on Cognovit or otherwise, except a Final Judgment where Interlocutory Judgment has been already entered	0	10	0
Summons to tax Costs	0	2	0
Requisition to tax Costs not exceeding 20*l.*	0	2	0
Requisition to tax Costs not exceeding 50*l.*	0	5	0
Requisition to tax Costs not exceeding 100*l.*	0	10	0
Requisition to tax Costs exceeding 100*l.*	1	0	0

General Exemption from the foregoing Duties in respect of all Proceedings on behalf of Paupers admitted to sue or defend in formâ pauperis.

SCHEDULE E.

TABLE OF COSTS OF PROCEEDINGS UNDER THE FOREGOING ACT.

No. 1.—*Costs of Writ issued and served where Debt is settled within Six Days after Service.*

	£	s.	d.
Letter for Payment (when sent)	0	3	4
Instructions to proceed	0	6	8
Summons and Plaint, with Particulars, not less than	0	12	6
Stamp Duty and Parchment	0	2	3
Copy for Service	0	1	0
Service (if in Dublin)	0	5	0
	1	10	9

In Country Cases, Expense of Service to be allowed according to the Discretion of the Taxing Officer.

Costs of Affidavit of Service, and to verify, to be added, if Debt is not settled within Six Days after Service.

In Cases in which it shall appear to the Taxing Officer to be proper that the Plaint shall be settled by Counsel, the same may be allowed for as follows:—

Instructions to Counsel to settle, 1*s.* per Folio, say Six Folios	0	6	0
Fee to Counsel, not less than	0	10	6
Attendance on Counsel	0	6	8
	£2	13	11

No. 2.—*Defendant's Costs on Rule for Non-pros.*

	£	s.	d.
Instructions to defend	0	6	8
Term Fee	0	6	8
Search for Summons and Plaint	0	3	4
Drawing and engrossing Affidavit of Service	0	4	0
Stamp Duty	0	2	0
Rule to file same, Entry of	0	3	4
Stamp Duty on Rule	0	2	0
Like on Copy	0	2	0
Copy and Service	0	2	0
Drawing and engrossing Affidavit of Service	0	4	0
Stamp Duty	0	2	0
Signing	0	2	6
Fee on Execution	0	12	6
Stamp Duty	0	2	0
Parchment	0	0	3
Attendance with Writ	0	3	4
	£2	18	7

No. 3.—*Costs of Judgment by Default.*

	£	s.	d.
Letter for Payment	0	3	4
Instructions to proceed	0	6	8
Summons and Plaint, Fee on	0	12	6
Stamp Duty and Parchment	0	2	3
Copy for Service	0	1	0
Service (if in Dublin)	0	5	0
Affidavit of Service	0	4	0
Stamp Duty	0	2	0
Swearing	0	1	6
Signing by Attorney	0	2	6
Swearing Affidavit to verify	0	0	6
Term Fee	0	6	8
Search for Defence	0	3	4
Fee on marking Judgment	0	3	4
Engrossing Certificate of Parties	0	2	6
Signing and Parchment	0	2	9
Fee on Execution	0	12	6
Stamp Duty and Parchment	0	2	3
Attendance with Writ	0	3	4
Taxation of Costs	0	5	0
Stamp Duty on Requisition	0	2	0
	£4	4	11

No. 4.—*Costs of Trial at Nisi Prius and Judgment on Postea.*

	£	s.	d.
Letter for Payment	0	3	4
Instructions to proceed	0	6	8
Writ of Summons and Plaint	0	12	6
Stamp Duty and Parchment	0	2	3
Copy for Service	0	1	0
Service (if in Dublin)	0	5	0
Instructions to Counsel to settle Plaint, 1*s.* per Folio, say 10 Folios	0	10	0
Fee to Counsel	0	10	6
Attendance on Counsel	0	6	8
Term Fee	0	6	8
Copy Defence for Counsel	0	1	0
Draft Case to advise Proofs			
Fee to Counsel	2	2	0
Attending him	0	6	8
Notice of Trial, Copy, and Service	0	6	0
Attending Sheriff for Panel	0	3	4
Paid for Panel	0	1	0
Draft Abstract of Record	0	5	0
Copy for Service	0	1	0
Notice therewith, Copy, and Service	0	6	0
Engrossing Abstract, and Parchment	0	3	6
Stamp Duty	0	10	0
Attending Registrar with Abstract	0	3	4
Draft Brief for Trial, at 3*s.* 4*d.* per Sheet.			
Two Copies thereof for Counsel			
Two Copies of Notice of Trial to annex	0	2	0
Paid Fee to Senior Counsel			
Like to Junior Counsel			
Attending Counsel with Briefs	0	6	8
Fee on Subpœna ad testificandum	0	4	0
Stamp Duty and Parchment	0	2	3
Four Copies for Service	0	4	0
Paid Services and Viaticum			
Attendance on Record (if in Dublin)	2	2	0
Term Fee	0	6	8
Fee on marking Judgment	0	3	4
Stamp Duty	0	10	0
Certificate of Parties Names	0	2	6
Signing and Parchment	0	2	9
Fee on Execution	0	12	6
Stamp Duty and Parchment	0	2	3
Attendance with Writ	0	3	4
Drawing Bills of Costs, at 1*s.* per Page			
Two Copies at 6*d.* per			
Service of Costs	0	1	0
Requisition to tax (under £50)	0	5	0
Attendance to lodge	0	3	4

	£	s.	d.
Attending to tax - - - - - -	0	6	8
Summons, &c. - - - - - -	0	3	4
Stamp Duty - - - - - -	0	2	0
Certificate - - - - - -	0	0	1
£			

N.B.—The Taxing Officer shall be at liberty to allow for a Third Counsel in special Cases where the Number of Witnesses or other special Circumstances render it advisable; also to allow a Fee for settling a Defence Demurrer and other Pleadings and Abstract of Issues for Nisi Prius, when necessary.

LONDON:
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Printers to the Queen's most Excellent Majesty. 1853.

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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should be altered, and that the maximum Scale of rating upon Property above the annual Value of Eighty Pounds liable to be rated under the said thirdly-recited Act should be reduced: And whereas the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Title of Act.

I. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *Belfast* Borough Extension Act, 1853."

Limits of the Borough altered and extended.

II. So much of the said firstly-recited Act as relates to the Boundaries of the Borough of *Belfast*, and to the Boundaries of the Wards into which the said Borough is divided, shall be and the same is hereby repealed; and in lieu thereof the Boundaries of the said Borough, and of the Five Wards into which the same is divided, shall for the Purposes of this Act be according to the Description of such Boundaries respectively set forth in Schedule (A.) to this Act annexed; and all the Houses, Lands, and Hereditaments within the Boundaries therein specified shall, from and after the Commencement of this Act, be Parts of the said Borough, to all Intents and Purposes as if the said Boundaries had been fixed and specified in the said firstly-recited Act, and in the Construction of the Description of such Boundaries the Rules in the said last-mentioned Act contained shall be observed.

Acts in force relating to the Borough of Belfast to apply to the Borough as extended by this Act.

III. All the Powers and Provisions of the said recited Acts and of all other Acts altering, amending, or enlarging the same or any of them, shall, so far as they are now in force and are unrepealed by and are not inconsistent with the Provisions of this Act, extend and apply to the Borough of *Belfast*, and to the several Wards thereof, and to the Inhabitants of the said Borough as extended and defined by this Act.

Provisions as to buying and selling outside the Borough.

IV. Provided always, That it shall and may be lawful, within so much of the Manor of *Belfast* as lies beyond the Boundaries of the said Borough as defined by the said first-recited Act, for any Person to sell or expose for Sale any Butter, Milk, Eggs, Poultry, Fruit, Fish, or Vegetables for the domestic Consumption of the Buyer at or near to the Premises of either the Owner of such Commodity or of the Person to whom the same may be sold or offered for Sale.

Repeal of so much of 8 & 9 Vict. c. cxlii. as enables the Council to

V. So much of the said thirdly-recited Act as authorizes the Council, once in every Year, to be computed from the First Day of *January* in each Year, or oftener if they shall think it necessary, to make One or more Rate or Rates, Assessment or Assessments, upon

upon the Occupiers of all Houses, Buildings, Tenements, Quays, Wharfs, and other Hereditaments within the Limits of the said Act exceeding Eighty Pounds annual Value, so as such Rates or Assessments do not exceed in any One Year the Sum of Four Shillings and Sixpence in the Pound on the annual Value of the same, shall be and the same is hereby repealed; and in lieu thereof, it shall be lawful for the Council, once in every Year, from and after the Commencement of this Act, to be computed from the First Day of *January* in each Year, or oftener if they shall think it necessary, to make One or more Rate or Rates, Assessment or Assessments, upon the Occupiers of all Houses, Buildings, Tenements, Quays, Wharfs, and other Hereditaments within the Limits of the Borough for the Time being, exceeding Eighty Pounds annual Value, so as such Rates or Assessments do not exceed in any One Year the Sum of Three Shillings in the Pound on the annual Value of the same; and the said last-mentioned Rate, and the other Rates authorized to be levied by the said last-mentioned Act and not hereby repealed, shall be diminished or varied in the Proportions, and applied in the Manner, and be subject to the Provisions of the said last-mentioned Act: Provided always, that nothing in this Act contained shall extend or be deemed to extend to repeal, alter, or in any Manner affect the Provisions of the said recited Acts or any of them relating to the making, collecting, and recovering of the Rates thereby authorized, save as to the Rate by this Act repealed, and that all such Provisions, and all other Provisions therein contained relating to the Rates or Exemption from Rates shall extend and apply to the Rate hereby authorized to be made in lieu of the Rate so repealed as aforesaid.

rate Property exceeding 80*l.* annual Value at 4*s.* 6*d.* in the Pound.

Rate on such Property not to exceed 3*s.* in the Pound.

VI. Provided always, That so long as any Demesne situate within the said Borough shall be of an Extent of not less than Forty Acres, and shall be in the Occupation of the Owner thereof or his Under-tenant, and in which Streets shall not have been laid out and formed, and on which Dwelling Houses shall not have been built, the Owner or Tenant of such Demesne shall not be rated in respect of such Demesne, or in respect of any Mansion House or other Building situate therein and occupied therewith, unless such Tenant or Owner shall by Notice in Writing require to be rated in respect of such Demesne and Mansion House under the said recited Acts or any of them: Provided also, that until such Tenant or Owner shall be so rated, he shall not be placed upon any Burgess List or Burgess Roll to be formed under the firstly or secondly recited Acts, or either of them, in respect of such Demesne, or in respect of such Mansion House or other Building, or be liable or entitled to fill any Office, or to vote in any Election under the said Acts, or either of them, in respect of such Premises as aforesaid.

Exempting Demesnes in certain Cases from Payment of Rates.

VII. Nothing

Nothing in Act shall prevent burning Bricks, &c. in Places not lighted and watched.

VII. Nothing in the said recited Acts or in this Act contained shall in any Manner prevent or hinder the burning of Bricks or Lime, or the building of Kilns for such Purpose, within any Part of the Borough as defined by this Act which shall not for the Time being be lighted and watched under the Provisions of the said thirdly-recited Act.

Extending Provisions of 10 & 11 Vict. c. cclv. to Queen's College and Court House and Gaol of County of Antrim.

VIII. The Provisions in the said Local and Personal Act of the Tenth and Eleventh *Victoria*, Chapter Two hundred and fifty-four, Section Thirty-seven, contained, relating to the Royal *Belfast* Academical Institution and the *Belfast* Academy, shall extend and apply to the Queen's College at *Belfast*, and to the *Belfast* District Lunatic Asylum and the Grounds attached thereto, and to the College erected for the Education of Ministers in connexion with the Presbyterian Church in *Ireland*, and to the Court House and Gaol of the County of *Antrim*, and to the Lands held with such Court House and Gaol, so long as the same shall be held and occupied by the Grand Jury of the said County for County Purposes.

The Roman Catholic Seminary to be exempted from Operation of Act.

IX. That the Roman Catholic Seminary, situate upon the Turnpike Road leading to *Antrim*, shall for the Purposes of this Act be considered within the Boundaries by this Act authorized; and that the Provisions in the said last-mentioned Act contained relating to the Royal Academical Institution and the *Belfast* Academy shall also extend and apply to the said Roman Catholic Seminary at *Belfast*.

As to Meaning of certain Words in Sect. 72 of 8 & 9 Vict. c. cxlii.

X. That in construing the Seventy-second Section of the said recited Act, Eighth and Ninth *Victoria*, Chapter One hundred and forty-two, the Words "formed or set out" shall be held to mean formed or set out for building.

No House to be hereafter built, &c. to be thatched without Permission of Council.

XI. That no House or Building hereafter to be built, rebuilt, or new roofed in or near any Street within the Limits of this Act shall, without the Permission of the Council, be thatched wholly or in part, and in case any such House or Building shall be so thatched without such Permission as aforesaid the Owner thereof shall forfeit the Sum of Forty Shillings for each and every Month during which the same or any Part thereof shall continue to be thatched.

Commencement of Act.

XII. This Act shall commence and have effect on and from the First Day of *December* next after the passing of this Act.

Expenses of Act.

XIII. The Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid and discharged by the Treasurer of the Borough of *Belfast* out of the Borough Fund.

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SCHEDULE (A.)

GENERAL BOUNDARY.

From the Northern Lighthouse on the Eastern Twin Island, Southward, in a straight Line to the Centre of the Bridge over Conn's Water on the Hollywood Railway, thence Southward along the Boundary of the Townland of Ballymacarret to the Point at which the same meets the Boundary of the Townland of Ballynafoy, thence Southward and Westward along the said Boundary of Ballynafoy to the Point at which the same meets the River Lagan, thence Westward along the River Lagan to the Centre of the Weir adjoining the Canal, thence Northward along the Canal to the First Lock, thence North-westward along the Road at the West Side of the River Lagan to the Point at which the same is crossed by the Old Belfast Watercourse, thence Southward and Westward along the said Watercourse to a Brick Wall belonging to the Water Commissioners, thence Southward along the Fence which divides Mr. Batt's from Mr. Ward's Property, thence Westward along the Fence which divides Mr. Ward's Property from Mr. Gilmore's and Mr. Batt's Property to the Old Lisburn Road, thence Northward about Fifty Yards on the Old Lisburn Road to the Fence of Mr. McQuiston's Property, thence Westward along the said Fence which divides Mr. McQuiston's Property from Mr. Roney's and Mr. Owden's Property to the Point at which the same meets the Blackstaff River, thence North-westward in a straight Line to the Point at which the Old White Rock Road meets the Falls Road, thence Westward along the Old White Rock Road to the Point at which the same meets the Cross Road close to the Fort, thence Northward along the said Cross Road to the Point at which the same meets the Boundary of the Townland of Ballymurphy, thence North-westward along the said Boundary to the North-east Point of the said Boundary, thence Northward in a straight Line to the Centre of the Fort immediately behind the House of Mr. Moses Staunton, thence North-eastward in a straight Line to the Point at which the Boundary of Ballysillan Lower meets the Forth River, thence North-eastward along the said Boundary to the North-east Point of the said Boundary at which the same meets a Stream, thence Eastward and Northward along the said Stream to the Point at which the said Stream crosses the Road at Old Park Mills, thence Northward and Eastward along the Road to the South End of the House of Mr. John Beatty, thence Eastward in a straight Line to the Eastern Angle of the Boundary of the Townland of Old Park, thence Eastward in a straight Line to the Point at which Buttermilk Lane meets the Antrim Road, thence Eastward along Buttermilk Lane to the Point at which the same meets

the Carrickfergus Road, thence Eastward in a straight Line to the Point first described.

To be divided into Five Wards, according to the following Boundaries; and in every Ward there shall be Two Aldermen and Six Councillors.

No. 1. Dock Ward.

From the Point in the Centre of the New Channel at which the Boundary of the Municipal Borough crosses the Channel near the North Lighthouse on the Eastern Twin Island, Southward, along the Channel to the Centre of the Queen's Bridge, thence Westward along the Bridge to the Point at which the same meets Anne Street, thence along Anne Street Westward to the Point at which the same meets Victoria Street; thence Northward along Victoria Street to the Point at which the same meets Gordon Street, thence Westward along Gordon Street to the Point at which the same meets Grattan Street, thence Northward along Grattan Street to the Point at which the same meets Green Street, thence Westward along Green Street to the Point at which the same meets Academy Street, thence Northward along Academy Street to the Point at which the same meets Great Patrick Street, thence Westward along Great Patrick Street to the Point at which the same meets Frederick Street, thence Westward along Frederick Street to the Point at which the same meets North Queen Street, thence Southward along North Queen Street to the Point at which the same meets the New Antrim Road, thence Northward along the New Antrim Road to the Boundary of the Borough, thence Eastward along the Boundary of the Borough to the Point first described.

No. 2. Saint Anne's Ward.

From the Point at which Victoria Street meets High Street, Westward, along High Street to the Point at which the same meets Bridge Street, thence North-westward along Bridge Street to the Point at which the same meets North Street, thence North-westward along North Street to the Point at which the same meets Peter's Hill, thence Westward along Peter's Hill to the Point at which the same meets the Shankhill Road, thence North-westward along the Shankhill Road to the New Crumlin Road, thence North-westward along the New Crumlin Road to the Boundary of the Borough, thence Northward and Eastward along the Boundary of the Borough to the New Antrim Road, thence Southward along the New Antrim Road to the Point at which the same meets North Queen Street, thence Northward along North Queen Street to the Point at which the same meets Frederick Street, thence Eastward along Frederick Street to the Point at which the same meets Great Patrick Street, thence Eastward along Great Patrick Street to the Point at which the same meets Academy Street,

Street, thence Southward along Academy Street to the Point at which the same meets Green Street, thence Eastward along Green Street to the Point at which the same meets Grattan Street, thence Southward along Grattan Street to the Point at which the same meets Gordon Street, thence Eastward along Gordon Street to the Point at which the same meets Victoria Street, thence Southward along Victoria Street to the Point first described.

No. 3. Smithfield Ward.

From the Point at which Bridge Street meets High Street, Westward, along High Street to the Point at which the same meets Castle Place, thence Westward along Castle Place, to the Point at which the same meets Castle Street, thence Westward along Castle Street to the Point at which the same meets Fountain Street, thence Southward along Fountain Street to the Point at which the same meets College Street, thence Westward along College Street to the Point at which the same meets College Square North, thence Westward along College Square North to the Point at which the same meets Durham Street, thence Northward along Durham Street to the Point at which the same meets the Falls Road, thence Westward along the Falls Road to the Boundary of the Borough, thence Northward along the Boundary of the Borough to the New Crumlin Road, thence Southward along the New Crumlin Road to the Point at which the same meets the Shankhill Road, thence North-eastward along the Shankhill Road to the Point at which the same meets Peters Hill, thence Eastward along Peters Hill to the Point at which the same meets North Street, thence South-westward along North Street to the Point at which the same meets Bridge Street, thence South-eastward along Bridge Street to the Point first described.

No. 4. St. George's Ward.

From the Point at which Anne's Street meets Victoria Street Southward along Victoria Street to the Point at which the same meets Police Square, thence Westward along Police Square to the Point at which the same meets George's Lane, thence Southward along George's Lane to the Point at which the same meets Chichester Street, thence Westward along Chichester Street to the Point at which the same meets Donegall Square East, then along Donegall Square East to the Point at which the same meets Donegall Square South, thence along Donegall Square South, Westward to the Point at which the same meets Howard Street, thence Westward along Howard Street to the Point at which the same meets Glengall Place, thence Southward along Glengall Place to the Point at which the same meets Great Victoria Street, thence Southward along Great Victoria Street to the New Dublin Road, thence Southward along the New Dublin Road to the

the Point at which the same meets the Old Dublin Road, thence Southward along the Old Dublin Road to the Boundary of the Borough, thence Westward and Northward along the Boundary of the Borough to the Falls Road, thence Eastward along the Falls Road to the Point at which the same meets Durham Street, thence Southward along Durham Street to the Point at which the same meets College Square North, thence Eastward along College Square North to the Point at which the same meets College Street, thence Eastward along College Street to the Point at which the same meets Fountain Street, thence Northward along Fountain Street to the Point at which the same meets Castle Street, thence Eastward along Castle Street to the Point at which the same meets Castle Place, thence Eastward along Castle Place to the Point at which the same meets High Street, then Eastward along High Street to the Point at which the same meets Victoria Street, thence Southward along Victoria Street to the Point first described.

No. 5. Cromac Ward.

From the Northern Lighthouse on the Eastern Twin Island, Southward and Westward, along the Boundary of the Borough to the Old Dublin Road, thence Northward along the Old Dublin Road to the Point at which the same meets the New Dublin Road, thence Northward along the New Dublin Road to the Point at which the same meets Great Victoria Street, thence Northward along Great Victoria Street to the Point at which the same meets Glengall Place, thence Northward along Glengall Place to the Point at which the same meets Howard Street, thence Eastward along Howard Street to the Point at which the same meets Donegall Square South, thence Eastward along Donegall Square South to the Point at which the same meets Donegall Square East, thence Northward along Donegall Square East to the Point at which the same meets Chichester Street, thence Eastward along Chichester Street to the Point at which the same meets George's Lane, thence Northward along George's Lane to the Point at which the same meets Police Square, thence Eastward along Police Square to the Point at which the same meets Victoria Street, thence Northward along Victoria Street to the Point at which the same meets Anne Street, thence Eastward along Anne Street to the Centre of the Queen's Bridge, thence Northward along the Centre of the Channel to the Point at which the same is crossed by the Boundary of the Borough, thence Eastward along the Boundary of the Borough to the Point first described.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's Most Excellent Majesty. 1853.

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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CAP. CXV.

An Act to amend certain Provisions of the Patent Law Amendment Act, 1852, in respect of the Transmission of certified Copies of Letters Patent and Specifications to certain Offices in *Edinburgh* and *Dublin*, and otherwise to amend the said Act. [20th *August* 1853.]

WHEREAS it is expedient to amend certain Provisions of the Patent Law Amendment Act, 1852, in respect of the Transmission of certified Copies of Letters Patent and Specifications to certain Offices in *Edinburgh*, and *Dublin*, and otherwise to amend the said Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 15 & 16 Vict. c. 83.

I. Section Thirty-three of the said Act, and such Part of Section Twenty-eight of the said Act as directs that in case Reference is made to Drawings in any Specification deposited or filed under the said Act an extra Copy of such Drawings should be left with such Specification, shall be repealed. Sect. 33. and Part of Sect. 28. of recited Act repealed.

II. The

Copies of Provisional Specifications to be open to Inspection at the Commissioners Office.

II. The Commissioners shall cause true Copies of all Provisional Specifications left at the Office of the Commissioners to be open to the Inspection of the Public, at such Times, after the Date of the Record thereof respectively, as the Commissioners shall by their Order from Time to Time direct.

A Copy of every Specification, &c., under the Hand of the Patentee or Applicant, to be left at Commissioners Office.

III. A true Copy, under the Hand of the Patentee or Applicant, or Agent of the Patentee or Applicant, of every Specification and of every Complete Specification, with the Drawings accompanying the same, if any, shall be left at the Office of the Commissioners on filing such Specification or Complete Specification.

Copies or Extracts of Letters Patent, &c., certified and sealed, filed at Commissioners Office, to be received in Evidence.

IV. Printed or Manuscript Copies or Extracts, certified and sealed with the Seal of the Commissioners, of Letters Patent, Specifications, Disclaimers, Memoranda of Alterations, and all other Documents recorded and filed in the Commissioners Office, or in the Office of the Court of Chancery appointed for the filing of Specifications, shall be received in Evidence in all Proceedings relating to Letters Patent for Inventions in all Courts whatsoever within the United Kingdom of *Great Britain* and *Ireland*, the Channel Islands, and *Isle of Man*, and Her Majesty's Colonies and Plantations abroad, without further Proof or Production of the Originals.

Certified printed Copies of Specifications, &c., under Seal of Commissioners, to be transmitted to the Director of Chancery in Scotland, and to the Court of Chancery in Ireland, which shall be Evidence, without Production of Originals.

V. Certified printed Copies, under the Seal of the Commissioners, of all Specifications and Complete Specifications, and Fac-simile printed Copies of the Drawings accompanying the same, if any, Disclaimers, and Memoranda of Alterations filed or hereafter to be filed under the said Patent Law Amendment Act, shall be transmitted to the Office of the Director of Chancery in *Scotland* and to the Enrolment Office of the Court of Chancery in *Ireland* within Twenty-one Days after the filing thereof respectively, and the same shall be filed in the Office of Chancery in *Scotland* and *Ireland* respectively, and certified Copies or Extracts from such Documents shall be furnished to all Persons requiring the same, on Payment of such Fees as the Commissioners shall direct; and such Copies or Extracts shall be received in Evidence in all Courts in *Scotland* and in *Ireland* respectively in all Proceedings relating to Letters Patent for Inventions, without further Proof or Production of the Originals.

Lord Chancellor, in certain Cases, may seal Letters Patent after the Expiration of provisional Protection.

VI. Where Letters Patent have not been sealed during the Continuance of the provisional Protection on which the same is granted, provided the Delay in such sealing has arisen from Accident, and not from the Neglect or wilful Default of the Applicant, it shall be lawful for the Lord Chancellor, if he shall think fit, to seal such Letters Patent at any Time after the Expiration of such provisional Protection,

tion, whether such Expiration has happened before or shall happen after the passing of this Act, and to date the sealing thereof as of any Day before the Expiration of such provisional Protection, and also to extend the Time for the filing of the Specification thereon; and where the Specification, in pursuance of the Condition of any Letters Patent, has not been filed within the Time limited by such Letters Patent, provided the Delay in such filing has arisen from Accident, and not from the Neglect or wilful Default of the Patentee, it shall be lawful for the Lord Chancellor, if he shall think fit, to extend the Time for the filing of such Specification, whether the Default in such filing has happened before or shall happen after the passing of this Act: Provided always, that, except in any Case that may have arisen before the passing of this Act, it shall not be lawful for the Lord Chancellor to extend the Time for the sealing of any Letters Patent, or for the filing of any Specification, beyond the Period of One Month.

Removing Doubts as to Provision of 15 & 16 Vict. c. 83. respecting the making and sealing of new Letters Patent for a further Term.

VII. And whereas Doubts have arisen whether the Provision of the Patent Law Amendment Act, 1852, for the making and sealing new Letters Patent for a further Term, in pursuance of Her Majesty's Order in Council, in the Cases mentioned in Section Forty of the said Act, extends to the making and sealing of new Letters Patent in the Manner by such Act directed where such new Letters Patent are granted by way of Prolongation of the Term of Letters Patent issued before the Commencement of the said Act: And whereas it is expedient that such new Letters Patent granted by way of Prolongation shall be granted according to the Provisions of the said Patent Law Amendment Act: Be it declared and enacted, That where Her Majesty's Order of Council for the sealing of new Letters Patent shall have been made after the Commencement of the said Act, the said Provision of the said Act for making and sealing in manner aforesaid of new Letters Patent shall extend, and shall as from the Commencement of the said Act be deemed to have extended, to the making and sealing in manner aforesaid of new Letters Patent for a further Term, as well where the original Letters Patent were made before as where such original Letters Patent have been issued since the Commencement of the said Act.

15 & 16 Vict. c. 83. and this Act to be construed as One Act.

VIII. This Act, and the Patent Law Amendment Act, 1852, shall be construed together as One Act.

LONDON:
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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Secretary-at-War to issue the Money required for Pay of Regular Militia.

I. The Secretary-at-War for the Time being shall cause to be issued and paid the whole Sum required for the Regular Militia of *Great Britain* and *Ireland* (when disembodied), in the Manner and for the several Uses herein-after mentioned; (that is to say,) for the Pay of the said Regular Militia at the daily Rates following; (that is to say,)

Rates of Pay.

For each Adjutant of Infantry, Eight Shillings, and of Artillery, Nine Shillings:

For each Serjeant Major of Infantry, where One is appointed in Corps consisting of Two or more Companies, One Shilling and Tenpence, and of Artillery, Three Shillings:

For each Quartermaster Serjeant and Paymaster Serjeant (in Corps whose Establishment exceeds Four Companies) of Infantry, One Shilling and Eightpence, and of Artillery, Two Shillings and Sixpence; and to the Serjeant performing the Duty of both Quartermaster Serjeant and Paymaster Serjeant (in Corps consisting of Four Companies or less) of Infantry, One Shilling and Eightpence, and of Artillery, Two Shillings and Sixpence:

For each Serjeant of Infantry, One Shilling and Sixpence, and of Artillery, Two Shillings and Twopence:

For each Drummer, Trumpeter, or Bugler above Sixteen Years of Age, One Shilling, and under Sixteen Years of Age, Tenpence:

Rates of Pay when absent on Furlough.

Provided always, that when any Serjeant Major or Serjeant shall be absent on Furlough or Licence he shall during such Absence receive Sixpence per Diem less than the above-mentioned Rates respectively:

Clothing.

And also for the Clothing of the Regular Militia (when disembodied), in Cases in which full Clothing shall be provided by the Colonel or Commandant, at the Rate of Five Pounds Twelve Shillings and One Penny for each Serjeant Major, Three Pounds for each Serjeant, and Two Pounds Eighteen Shillings and Sevenpence for each Drummer, and so in proportion in the Cases in which only Part of the Clothing shall be provided by the Colonel or Commandant, together with the actual Expense of Package and Carriage, and such Charges for altering and fitting the Clothing as shall have been sanctioned by the Secretary-at-War: Provided always, that Serjeant Majors, Serjeants, and Drummers on the Disembodied Staff of the Militia of *England* and *Wales*, and such Serjeant Majors and Serjeants as were serving on the Disembodied Staff of the Militia of *Ireland* and *Scotland*, on the First Day of *June* One thousand eight hundred and twenty-nine, and shall be resident at Head Quarters, shall be entitled to be clothed

clothed once in Two Years; and that such as shall have been subsequently appointed to serve or promoted on the Disembodied Staff of the Militia of *Ireland* and *Scotland* shall be entitled to be clothed once in Four Years:

And also at Rates varying from Two Shillings to Sixpence per Annum for each Private Man for defraying the contingent Expenses of each Regiment, Battalion, or Corps, when enrolled.

Contingent Fund.

II. Except when employed as herein-after provided, every Adjutant and Non-commissioned Officer on the Staff of the Regular Militia, when disembodied, shall reside in such Places as shall be sanctioned by the Secretary-at-War; and every such Adjutant and Non-commissioned Officer shall forfeit his Pay for any Period during which he shall be absent, except when employed as herein-after provided, or when absent by Leave from the Colonel or Commandant of the Regiment, Battalion, or Corps, which Leave shall not, except in case of certified Sickness, extend beyond Three Calendar Months in One Year, nor to a greater Proportion than One Third of the Non-commissioned Officers at the same Time.

Adjutant, &c. to reside where the Secretary-at-War shall appoint.

III. Every Adjutant and Non-commissioned Officer of the Regular Militia, when disembodied, and not called out for Training or Exercise, shall be liable to be employed within the County to which the Regiment, Battalion, or Company of the said Militia Staff belongs, under the Officers appointed to pay and superintend the Out-Pensioners of *Chelsea* Hospital, in such Manner as One of Her Majesty's Principal Secretaries of State may determine.

Adjutants and Non-commissioned Officers of Militia may be employed in their Counties.

IV. The Adjutant of each Regiment of Militia shall have the Charge and Care of the Arms, Accoutrements, Great Coats, Clothing, Necessaries, and other Stores thereof, under the Superintendence of the Colonel or Commandant, and shall, out of the Allowance directed by this Act to be issued and paid for defraying the contingent Expenses of such Regiment, Battalion, or Corps, from Time to Time issue and pay such Sums of Money as may be necessary for the Repair of Arms, and other usual contingent Expenses, upon an Order in Writing signed by the Colonel or other Commandant, and after Payment of such Sums as aforesaid he shall Three Times in the Year make up Accounts of all such Money, and of the Expenditure thereof, showing the Balance remaining in his Hands (which said Balance shall form a Stock Purse for the Use of the Regiment, Battalion, or Corps), and shall transmit the same to the Colonel or other Commandant of such Regiment, Battalion, or Corps, to be by him examined, allowed, and signed; and the said Accounts, so allowed and signed, shall be the proper

Adjutant to have Charge of the Arms and Clothing, and to issue the Money for contingent Expenses on an Order signed by the Colonel.

Balance to form a Stock Purse.

proper Vouchers and Acquittal of such Adjutant for the Application and Disposal of such Money.

In Absence of the Adjutant, the Serjeants to be under the Command of the Serjeant Major.

V. In the occasional and unavoidable Absence of the Adjutant from the City, Town, or Place where the Disembodied Staff is quartered, or during any Vacancy in the Appointment of Adjutant, the Serjeants shall be under the Command of the Serjeant Major, or of some Serjeant who shall be appointed by the said Adjutant, with the Approbation of the Colonel or other Commanding Officer, to act as Serjeant Major during the Absence of such Adjutant; and the said Serjeant Major or acting Serjeant Major shall render the same Returns and perform such other Acts as are by Law required from the Adjutant.

Militia when called out for Training or Exercise entitled to Pay.

VI. The Officers and Non-commissioned Officers, Drummers, and Private Men of the Regular Militia shall, for the Period or Periods during which they shall be called out for the Purpose of Exercise or Training, be entitled to the same Pay and Allowances as the Officers, Non-commissioned Officers, Drummers, and Private Men of the Militia when embodied.

Volunteers attached to Regiments of the Line to be subject to the Mutiny Act.

VII. Volunteers may, with the Sanction of the Secretary-at-War, when attached to Regiments of the Line to qualify themselves for the Permanent Staff, either as Serjeants or Drummers, be allowed Pay whilst so under Instruction, but while they remain so attached they will be under the Command of the Officer commanding the Regiment of the Line equally with the Soldiers of that Regiment, and will be subject to the Provision of the Mutiny Act.

Allowances to Subalterns and Surgeons Mates and Assistant Surgeons.

VIII. And whereas it is expedient to grant Allowances to certain Officers of the said Militia Forces of *Great Britain* and *Ireland* while disembodied, under certain Regulations: The following Allowances shall be made and paid, to the Amount, under the Restrictions, and in the Manner herein-after expressed, to every Subaltern Officer and Surgeon's Mate in *Great Britain*, and to every Subaltern Officer and Assistant Surgeon in *Ireland*, who held a Commission in the Militia of *Great Britain* or *Ireland*, and was serving therein, when the Corps was last disembodied, and also to every Supernumerary Subaltern Officer and Assistant Surgeon of any Regiment of Militia in *Ireland* which was augmented during the War, and which has been reduced to its original Establishment; (that is to say,)

To a Lieutenant, Two Shillings and Sixpence *per Diem:*

To an Ensign, Two Shillings *per Diem:*

And to a Surgeon's Mate or Assistant Surgeon, Two Shillings and Sixpence *per Diem:*

Provided

Provided always, that for the Purposes of this Act all Officers of the Militia serving with the Rank of Captain Lieutenants shall be deemed to be Lieutenants, and all Officers serving with the Rank of Second Lieutenant shall be deemed to be Ensigns; and that the Supernumerary Subalterns and Assistant Surgeons of Regiments of Militia in Ireland as aforesaid shall be deemed to have belonged to such Regiments when they were last disembodied, and to have continued to serve therein from that Time.

Rank of certain Officers.

IX. Provided also, no Person who is or shall during the Continuance of this Act become possessed of such an Estate or Income as would by Law qualify him to hold the Commission of Captain of a Company in the said Militia, or who is or shall be appointed Adjutant in any Regiment, Battalion, or Corps of Militia, nor any Officer on Full Pay of the Navy, Army, or Marines, shall have or be in any way entitled to the said Allowances, or any Part or Share thereof.

Certain Persons not entitled to Allowances.

X. The Subaltern Officers, Surgeon's Mates, and Assistant Surgeons of the Militia, who shall claim under the Authority of this Act to receive any Part of the said Allowances, shall, previous to receiving the same, and in order to entitle themselves thereto, take and subscribe a Declaration before some One of Her Majesty's Justices of the Peace of the United Kingdom, Notary Public, or other Officer now by Law authorized to administer or receive such Declaration, or before some One of Her Majesty's Ministers, Secretaries of Embassy, of Legation, or Consuls abroad, in the Words or to the Effect following; (*videlicet*,)

A Declaration to be taken to entitle Officers, &c. to such Allowances.

Form of Declaration.

'I *A.B.* do solemnly and sincerely declare, That I belonged to the
' of Militia when the same was disembodied,
' and that I have continued to serve therein from that Time until
' the Day of inclusive, as a [Lieutenant,
' Ensign, Surgeon's Mate, *or* Assistant Surgeon, *as the Case may be*];
' and that I was not, in my own Right or in the Right of my Wife,
' during any Part of the Period for which I now claim to receive my
' Allowance, (that is to say,) from the Day of
' to the Day of both
' inclusive, in the actual Possession and Enjoyment or Receipt of the
' Rents and Profits of Lands, Tenements, or Hereditaments of such
' an annual Value above Reprises as would qualify me to hold a
' Commission of Captain of a Company in the Militia; that I was
' not in Holy Orders; that I have not during the above Period held
' the Appointment of Adjutant, Surgeon, Paymaster, or Quarter-
' master in any Regiment, Battalion, or Corps of Militia; that I did
' not hold or enjoy, nor did any Person for me hold or enjoy, during

'the said Period, any Place, Office, or Employment of Profit, Civil
'or Military, under the Crown or any other Government, besides
'the Allowance of a Day now claimed, except
'my Half Pay as a [of the Army *or*
'Navy *or* Marines, *or* of a Provisional Battalion formed from the
'Militia, *as the Case may be*,] and any Pay and Allowances from the
' to the both Days inclusive, during which
'Period the Corps was assembled for Training and Exercise.'

Which Declaration, so taken and subscribed, shall be produced to the Paymaster General of Her Majesty's Forces by the Subaltern Officer, Surgeon's Mate, or Assistant Surgeon claiming the Allowance.

Secretary-at-War may place certain Officers unfit for Duty upon a retired Allowance, upon making the following Declaration.

XI. It shall be lawful for the Secretary-at-War to place any such Lieutenant, Ensign, and Surgeon's Mate of the Militia of *Great Britain*, or Subaltern Officer and Assistant Surgeon of the Militia of *Ireland*, when unfit for further Duty, upon a retired Allowance equal to and instead of the Allowance granted on the disembodying of the Militia at the Termination of the War; and all such Subalterns, Surgeons Mates, and Assistant Surgeons, to entitle them to the Receipt of such retired Allowance, shall make and subscribe the following Declaration; (*videlicet*,)

Form of Declaration.

'I do solemnly and sincerely declare, That I
'formerly served as a in the
'Militia; that I am not in Holy Orders; and that from the
'Day of to the Day of
'I did not hold or enjoy any Place or Employment of Profit, Civil
'or Military, under Her Majesty, or in the Colonies or Possessions of
'Her Majesty beyond the Seas, or under any other Government,
'besides my Allowance of per Diem as a of the
'said Militia, except my Half Pay or Civil Pension as a

Allowances to Officers reduced in 1829.

XII. The Allowances granted to certain Paymasters, Surgeons, and Quartermasters of the Militia of *Great Britain* and *Ireland*, on their being reduced, in pursuance of an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth, shall be issued and paid under the Restrictions and in the Manner herein-after expressed, during the Continuance of this Act; and it shall be lawful for the Secretary-at-War to place any such Paymaster, Surgeon, or Quartermaster, when unfit for further Duty, upon a retired Allowance equal to and instead of his reduced Allowance.

A Declaration to be taken by Officers claiming the said Allowances.

XIII. Every Paymaster, Surgeon, and Quartermaster of Militia, who shall claim under the Authority of this Act to receive any Part of the said Allowances, shall, previous to receiving the same, and in order to entitle himself thereto, take and subscribe a Declaration

ration before some One of Her Majesty's Justices of the Peace in the United Kingdom, or Notary Public, or other Officer now by Law authorized to administer or receive such Declaration, or before some One of Her Majesty's Ministers, Secretaries of Embassy, of Legation, or Consuls abroad, in the Words or to the Effect following; (that is to say,)

Form of Declaration.

'I *A.B.* do solemnly and sincerely declare, That I was serving as [Paymaster, Surgeon, *or* Quartermaster, *as the Case may be*,] in the of Militia at the Reduction of the Staff of the said Militia in One thousand eight hundred and twenty-nine; and that I was not in Holy Orders during any Part of the Period for which I now claim to receive an Allowance, that is to say, from the Day of One thousand eight hundred and to the Day of One thousand eight hundred and ; and that I did not hold or enjoy, nor did any Person for me hold or enjoy, during any Part of the said Period, any Place, Office, or Employment of Profit, Civil or Military, under the Crown or any other Government, besides the Allowance of a Day now claimed except my Half Pay as a [of the Army *or* Navy *or* Marines, *or* of a Provisional Battalion formed from the Militia, *as the Case may be*], and except my Pay and Allowances from the to the both Days inclusive, during which Period the Militia was assembled for Training and Exercise.'

Which Declaration, so taken and subscribed, shall be produced to the Paymaster General of Her Majesty's Forces by the Paymaster, Surgeon, or Quartermaster claiming the Allowance: Provided always, that any Paymaster, Surgeon, or Quartermaster receiving such Allowance, and being on Naval or Military Half Pay, or entitled to any Allowance as having served in any of Her Majesty's Regular Forces, or Navy or Marines, shall, notwithstanding such Militia Allowance, be entitled to receive such Half Pay or Allowance.

Out-Pension to Reduced Non commissioned Officers and Drummers not to be received while serving.

XIV. And whereas certain Non-commissioned Officers and Drummers of the Militia of the United Kingdom of *Great Britain* and *Ireland* have, on the Reduction of the Establishment of the Disembodied Staff, been placed on the Out-Pension, although not unfit for further Service: No Non-commissioned Officer or Drummer so placed on Pension shall be entitled to receive the said Pension for any Period during which he shall be receiving Pay in the Militia.

Subalterns, Mates, &c. to attend the Exercise, &c.

XV. Every Paymaster, Surgeon, or Quartermaster on the reduced Allowance, and every Subaltern Officer, Surgeon's Mate, and Assistant Surgeon of the Militia, who shall be entitled or claim to be entitled

entitled to any Allowances as aforesaid, shall regularly attend the Exercise and Training of the Regiment, Battalion, or Corps to which he belongs during the whole of the Time it shall be assembled for that Purpose, and shall during the said Time punctually do and perform his Duty as a Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon of such Regiment, Battalion, or Corps, on pain of forfeiting the said Allowance, as well as all Arrears of the said Allowance and of Pay; and a Certificate of his having so attended and performed his Duty, signed by the Commanding Officer of the Regiment, Battalion, or Corps to which he may belong, shall be transmitted to the Paymaster General by the Officer claiming the Allowance: Provided always, that in case any such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon claiming to be entitled to such Allowance shall by his Commanding Officer be permitted or suffered, for any special Cause or unavoidable Necessity, to be absent during the whole or any Part of such Exercise, for which Purpose it shall be lawful for such Commanding Officer to grant such Leave of Absence, then and in such Case it shall be lawful for such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon, who may be so permitted to be absent, and have such Leave in Writing, to demand and receive the said Allowances and every Part thereof in like Manner as if he had attended during the whole of the said Exercise: Provided always, that the Reason for such Absence, as well as the Duration thereof, shall be carefully and truly specified in a Certificate (in lieu of that before mentioned) to be signed by the Commanding Officer, and to be furnished as soon as conveniently may be to the Paymaster General.

Commanding Officers may grant Leave of Absence.

If the Regiment be not called out before the Time fixed for the Payment, the Allowance shall be paid, on making the Declaration, without Certificate of Attendance.

XVI. Provided always, in case any Regiment, Battalion, or Corps of Militia shall not, before the Time fixed for the Payment of the said Allowances, be called out for the Exercise and Training thereof, every Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, and Assistant Surgeon belonging to any such Regiment, Battalion, or Corps, and coming within the aforesaid Benefits of this Act, who shall have made and subscribed the Declaration herein-before mentioned before any Justice of the Peace or other Person as aforesaid, shall be entitled to the said Allowance as if he had regularly attended the Exercise and Training of such Regiment, Battalion, or Corps during the whole of the Time by Law appointed for that Purpose, and as if a Certificate of such Attendance, signed by the Commanding Officer of the Regiment, Battalion, or Corps, had been furnished.

XVII. Upon

XVII. Upon such Declarations and Certificates as aforesaid, or where any Regiment of Militia shall not have been called out to their Exercise as aforesaid, upon the said Declarations being produced to the Paymaster General, the Paymaster General shall pay to the said Paymasters, Surgeons, Quartermasters, Subaltern Officers, Surgeons Mates, and Assistant Surgeons their respective Allowances above mentioned for the usual quarterly or other proper Periods, without any Deduction whatsoever, except Income Tax.

Allowances to be paid quarterly.

XVIII. The Paymasters, Surgeons, Quartermasters, Subaltern Officers, Surgeons Mates, and Assistant Surgeons of Militia, entitled or claiming to be entitled to the aforesaid reduced or disembodied Allowances, shall at all Times be liable to serve in the respective Regiments, Battalions, or Corps to which they belong whenever the same shall be embodied and called out upon active Service; and in case of Neglect or Refusal to attend when called upon, on such Occasion, or on such other Occasions as may be required in pursuance of the Laws in force respecting the Militia when disembodied, every such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, and Assistant Surgeon shall, on such Neglect or Refusal being certified to the Secretary-at-War, and in respect of the Militia of *Great Britain*, to the Lord Lieutenant of the County, by the Colonel or other Commandant of the Regiment, Battalion, or Corps to which such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon shall belong, forfeit his Claim to the said Allowance and every Part thereof, and shall also be considered as having resigned and vacated his Commission to all Intents and Purposes whatsoever.

On Neglect of Attendance, Subalterns, &c. shall forfeit lowance.

XIX. Nothing in this Act contained shall extend or be construed to extend to entitle any Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon as aforesaid to the said Allowance or any Part thereof during the Time the Militia to which he belongs shall be embodied or assembled for Training and Exercise.

Allowance not to be paid while the Militia embodied.

XX. Provided always, That any Person being on Naval or Military Half Pay, or being entitled to any Allowance as having served in any of Her Majesty's Regular Forces or Navy or Marines, and serving in the Militia, may receive the Pay and Allowances by this Act directed to be paid to the Field Officers, Captains, Lieutenants, Ensigns, Adjutants, Quartermasters, Surgeons, Surgeons Mates, and Assistant Surgeons, when assembled for annual Training; and the receiving any such Pay and Allowances by any such Field

Persons on Half Pay, or entitled to Allowance as having served in the Army or Navy, empowered to receive Pay, &c. during Training.

Field Officer, Captain, Lieutenant, Ensign, Adjutant, Quartermaster, Surgeon, Surgeon's Mate, or Assistant Surgeon, shall not prevent such Person on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay or such Allowance: Provided always, that such Person shall, in the Declaration to be taken for the Receipt of the Half Pay or such Allowance, declare that he has received or is entitled to such Militia Pay and Allowances, and shall specify the Militia Rank which entitles him to the same.

Adjutants, &c., Non-commissioned Officers, or Privates, not to lose their Right to Chelsea or Kilmainham Pensions, &c.

XXI. Provided always, That no Adjutant, Quartermaster, Non-commissioned Officer, Drummer, or Private Man in the Regular Militia, entitled to receive any *Chelsea* or *Kilmainham* Pension or Allowance on account of Service in the Regular Army, shall forfeit or lose his Right to the same by reason of his serving and receiving Pay in the Regular Militia; nor shall any Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon forfeit or lose his Right to receive any such *Chelsea* or *Kilmainham* Pension or Allowance by reason of his receiving the Allowance by this Act granted to him when disembodied.

Allowance to be made for Medicines.

XXII. There shall be granted for each Regiment of Regular Militia, when disembodied, a Sum of Money after the Rate of One Guinea for every One hundred Men of each such Regiment, for the Expense of necessary Medicines for the sick Non-commissioned Officers, Drummers, Fifers, and Private Men of such Regiment, during the Period or Periods of Assembly for Exercise or Training, and also an Allowance of Twopence *per* Week for each of the Non-commissioned Officers and their Families of each Regiment on the Disembodied Staff at Head Quarters, for the Expense of necessary Medicines and Attendance given to the said Non-commissioned Officers and their Families while such Regiment is not called out for Training and Exercise.

Adjutants appointed before 24th Dec. 1814 entitled to receive, after a Service of 20 Years, if unfit for further Service, an Allowance of 8s. per Day; provided they do not hold certain other Appointments.

XXIII. Every Adjutant of Regular Militia appointed as such before the Twenty-fourth Day of *December* One thousand eight hundred and fourteen, who shall have served faithfully, either in Her Majesty's Regular Forces or in the Regular or Local Militia, for the full Term of Twenty Years in the whole, whereof Ten shall have been in Service as an Adjutant of Regular Militia, and who shall be by Age or Infirmity rendered unfit for further Service, shall, on producing to the Secretary-at-War a Certificate of such Service of Twenty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and upon obtaining an Order from the Secretary-at-War founded upon such Certificate, be entitled to receive, and the Paymaster General shall pay to such Person, an Allowance at

at the Rate of Eight Shillings *per Diem:* Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Military Office or Employment of Profit under Her Majesty or any other Government; and that no Person who before the First Day of *June* One thousand eight hundred and twenty-nine held any Civil Place or Employment of Profit under the Crown, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he held such Civil Place or Employment, except in the Cases in which the Emoluments of such Civil Place or Employment shall not exceed Three Times the Amount of the said Allowance, and unless in such excepted Cases the Royal Consent to the holding of such Civil Place or Employment shall have been signified through the Secretary-at-War; and that no Person appointed on or after the First Day of *June* One thousand eight hundred and twenty-nine to any Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he shall hold such Civil Place or Employment: Provided always, that any Adjutant appointed after the Twenty-fourth Day of *December* One thousand eight hundred and fourteen, who shall have served faithfully, either in Her Majesty's Regular Forces or in the Regular or Local Militia, for the full Term of Thirty Years in the whole, whereof Fifteen shall have been in Service as an Adjutant of Regular Militia, and who shall be by Age or Infirmity rendered unfit for further Service, shall, upon producing to the Secretary-at-War a Certificate of such Service of Thirty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and upon an Order from the Secretary-at-War founded upon such Certificate, be entitled to receive an Allowance at the Rate of Six Shillings a Day, in like Manner and subject to the same Restrictions and Conditions as the aforesaid Allowance of Eight Shillings: Provided also, that no such Adjutant shall lose any Right he may have to Half Pay or Out-Pension by reason of receiving such Allowance of Eight Shillings or Six Shillings a Day as aforesaid, but shall be entitled to receive such Half Pay or Out-Pension as well as such Allowance: Provided always, that in Cases of very long and meritorious Services it shall be lawful for the Secretary-at-War to extend to any Adjutants appointed between the Twenty-fourth Day of *December* One thousand eight hundred and fourteen and the Ninth Day of *July* One thousand eight hundred and twenty-three the Terms, either in whole or in part, herein-before prescribed for the Retirement of Adjutants appointed before the Twenty-fourth Day of *December* One thousand eight hundred and fourteen.

Adjutant appointed since 24th Dec. 1814 entitled to receive, after Thirty Years Service, &c., an Allowance of 6s. per Day.

Right to Half Pay reserved.

Certain Terms extended to Adjutants in Cases of long and meritorious Services.

XXIV. And

Allowances to Adjutants, Surgeons, and Quartermasters.

XXIV. And whereas certain Allowances have been granted in pursuance of former Acts to Adjutants, Surgeons, and Quartermasters of Regular Militia who have by Age or Infirmity been rendered unfit for further Service: Such Allowances shall be issued and paid, during the Continuance of this Act, in like Manner and subject to the same Restrictions as the Allowances granted by this Act to Adjutants who shall by Age or Infirmity be rendered unfit for further Service: Provided always, that no Person receiving such Allowance shall by reason thereof forfeit his Right to any Half Pay to which he may be entitled.

Reduced Adjutants to receive 4s. per Day till 31st July 1854.

XXV. In case any Regiment, Battalion, or Corps of Militia shall have already ceased and determined or been reduced in its Establishment, or shall cease and determine or be reduced in its Establishment during the Continuance of this Act, the Sum of Four Shillings *per Diem* shall be paid to such Person as was or shall be actually serving as Adjutant to such Regiment, Battalion, or Corps at the Time of Reduction, from the Thirty-first Day of *July* One thousand eight hundred and fifty-three, or from the Time such Regiment shall cease and determine or be reduced in its Establishment, (as the Case may be,) to the Thirty-first Day of *July* One thousand eight hundred and fifty-four, in like Manner and subject to the same Restrictions and Conditions as the Allowances granted by this Act to Adjutants who shall by Age or Infirmity be rendered unfit for further Service: Provided always, that no such reduced Adjutant shall lose any Right he may have to Half Pay of the Navy, Army, Marines, or Provisional Battalion formed from the Militia, by reason of receiving such Allowance as last aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

Right to Half Pay reserved.

Adjutants and Serjeant Majors entitled to Allowance under 39 & 40 G. 3. c. 44.

XXVI. And whereas certain Adjutants and Serjeant Majors are entitled to and have received certain Allowances in consequence of having been reduced under the Provisions of an Act passed in the Thirty-ninth and Fortieth Years of the Reign of King *George* the Third, which Allowances have been continued, and as to such Adjutants augmented to Four Shillings *per Diem*: All such Adjutants and Serjeant Majors shall be entitled to receive and shall receive such Allowance from the Thirty-first day of *July* One thousand eight hundred and fifty-three to the Thirty-first Day of *July* One thousand eight hundred and fifty-four.

Allowances granted to Adjutants who have been appointed since 24th Dec. 1814, &c. on

XXVII. The following Allowances shall be granted and paid, under the Restrictions and Limitations herein-after expressed, to Adjutants of the Militia of *Great Britain* and *Ireland* who have been appointed since the Twenty-fourth Day of *December* One thousand eight hundred and fourteen, and who shall hereafter be appointed, on the Completion

pletion of the following Periods of Service in Her Majesty's Regular Forces and in the Militia, if unfit for the Performance of the Duties of their Commissions; (that is to say,)

Completion of certain Periods of Service.

To every Adjutant who shall have completed in the Service a Period of, (*videlicet*,)

Fifteen Years, of which Five Years as an Adjutant of Militia, an Allowance of Three Shillings *per Diem:*

Twenty Years, of which Seven Years as an Adjutant of Militia, an Allowance of Four Shillings *per Diem:*

Twenty-five Years, of which Ten Years as an Adjutant of Militia, an Allowance of Five Shillings *per Diem:*

Thirty Years, of which Fifteen Years as an Adjutant of Militia, an Allowance of Six Shillings *per Diem:*

Provided always, that no such Adjutant whose Commission bears Date between the Twenty-fourth Day of *December* One thousand eight hundred and fourteen and the Ninth Day of *July* One thousand eight hundred and twenty-three shall be excluded from the Operation of the Authority vested in the Secretary-at-War to determine certain Cases of Adjutants of long and meritorious Services; provided also, that such Adjutants shall retain any Right they may have to Half Pay or to Out-Pension, notwithstanding the Grant of such retired Allowance as aforesaid; and all such Allowances shall be granted upon the Production to the Secretary-at-War of a Certificate of such Service and Disability; and the Paymaster General shall pay to such Adjutant the above Allowance, subject to the same Limitations and Restrictions in respect to the holding of any Civil Place or Employment of Profit under the Crown, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, as attach to other Adjutants to whom retired Allowances have been or shall be granted.

No Adjutant whose Commission bears Date between 24th Dec. 1814 and 9th July 1823 excluded.

Right to Half Pay and Pension reserved.

XXVIII. Every reduced Adjutant entitled to any Allowance granted under the said Act of the Thirty-ninth and Fortieth Years of the Reign of King *George* the Third, and continued by any subsequent Act or by this Act, may receive such Allowance, together with any Full Pay, Half Pay, or Allowance which was tenable together with such reduced Allowance under the Provisions of an Act passed in the Twenty-sixth Year of the Reign of King *George* the Third, intituled *An Act for amending and reducing into One Act of Parliament the Laws relating to the Militia in that Part of* Great Britain *called* England, *or under the Provisions of the aforesaid Act of the Thirty-ninth and Fortieth Years of the Reign of His Majesty King* George *the Third:* Provided always, that no such reduced Adjutant shall be entitled to receive any Allowance under this Act during the Time he shall hold any Military Office of Profit under

Reduced Adjutants may take such Allowance with any Pay or other Allowance under 39 & 40 G. 3. c. 44. and 26 G. 3. c. 107.

Proviso.

Her Majesty, other than such as aforesaid, or under any other Government, or any Civil Office or Employment under Her Majesty, or any other Government, otherwise than according to the Provisions of this Act in relation to the Allowances granted to Adjutants on account of Age or Infirmity

Restrictions as to Allowances to reduced Adjutants of the Local Militia.

XXIX. And whereas certain Allowances have been granted to reduced Adjutants of the Local Militia: The said Allowances shall be issued and paid during the Continuance of this Act in like Manner and subject to the same Restrictions as the Allowances of the Paymasters, Surgeons, and Quartermasters of the Regular Militia who were reduced in the Year One thousand eight hundred and twenty-nine: Provided always, that in the Cases in which any such Local Militia Adjutants have been permitted to receive the said Allowances whilst holding any Civil Offices under the Crown, to which Offices they had been appointed previously to the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, it shall be lawful to continue the Payment of the said Allowances under the same Regulations and Restrictions as those under which the Permission was originally granted.

Allowances to Clerks of General and Subdivision Meetings in England.

XXX. In every County in *England* and *Wales* when the Regular Militia is or shall be raised by Ballot, Allowances shall be made to the Clerks of General Meetings, and the Clerks of Subdivision Meetings of Lieutenancy, and also to the Clerks of General Meetings and the Clerks of Subdivision Meetings of the Lord Warden and Deputy Wardens of the Stannaries of *Cornwall* and *Devon*, for their Trouble and Expenses in the due Execution of an Act passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Fifty, intituled *An Act to consolidate and amend the Laws relating to the Militia in* England, and of any other Acts relating to the said Militia, or to the Regiment or Body of Miners in the Counties of *Cornwall* and *Devon;* and in every County, Stewartry, City, or Place in *Scotland* where the Regular Militia is or shall be raised Allowances shall also be made to the Clerks of General Meetings and Clerks of the several Subdivision Meetings, and to Schoolmasters, Constables, and other Officers, for their Trouble and Expenses in the due Execution of an Act passed in the Forty-second Year of the Reign of King *George* the Third, intituled *An Act to raise and establish a Militia in* Scotland, and of any other Acts relating to the said Militia; and such Allowances shall be issued at the Rates specified in Schedule A. appended to this Act; and the Allowances to Clerks of General Meetings, when the Militia is raised otherwise than by Ballot, shall be issued at the Rates specified in Schedule B. appended to this Act.

15 & 16 Vict. c. 50.

Allowances to such Officers and others in Scotland.

42 G. 3. c. 91.

Allowances to Clerks of General Meetings when Militia raised otherwise than by Ballot.

XXXI. The

Militia Pay.

XXXI. The said Allowances shall be granted as follows; (*videlicet,*) the Account shall be certified by the Lieutenant of the County, Stewartry, City, or Place, or by Two or more Deputy Lieutenants acting for such County, Stewartry, City, or Place, or by the Lord Warden of the Stannaries of *Cornwall* and *Devon*, or by Two or more Deputy Wardens of the Stannaries of *Cornwall* and *Devon;* and the Clerks of General and Subdivision Meetings in *Great Britain*, and the Schoolmasters, Constables, and other Officers in *Scotland*, shall make a Declaration as to the Justness of the Accounts, in the following Terms respectively, before some Justice of the Peace; (*videlicet,*)

Manner of granting Allowances.

Clerks, &c. to make Declaration of the Justness of their Accounts.

Declaration of a Clerk of General or Subdivision Meetings.

'I do solemnly declare, That the preceding Account, 'so far as regards my Interest therein, is a just and true Account 'of Business performed by me for and in behalf of the public Service, 'according to the Manner therein set forth; and the Sums claimed 'as disbursed were actually paid by me.'

Declaration of a Schoolmaster, Constable, or other Officer in Scotland.

'I do solemnly declare, That I am the Parochial 'Schoolmaster [*or* Constable, *or* other Officer] of the District 'of in the Subdivision of the County 'of ; and that the preceding Account is a just and 'true Account of Business actually performed by myself for and in 'behalf of the public Service, according to the Manner therein set 'forth; and that I was employed on such Business the full Time 'therein stated; and that the Sums claimed as disbursed were 'actually paid by me.'

And the said Accounts shall be transmitted to the Secretary-at-War, who is hereby empowered to issue the Allowances according to the Rates specified in the respective Tables to this Act annexed, or such Sums as he shall think reasonable and proper.

XXXII. And whereas it is expedient that the Deputy Lieutenants acting in any Subdivision of any County, Stewartry, City, or Place in *Great Britain*, and the Special Deputy Wardens acting in any Subdivision in the Stannaries of the Counties of *Cornwall* and *Devon*, should be assisted by the Advice of a Surgeon in deciding upon the Appeals of Persons claiming to be exempt from compulsory Service in the Militia by reason of bodily Infirmity, and upon the Fitness for Service of the Persons presenting themselves for Enrolment: It shall be lawful for any Two Deputy Lieutenants and they are hereby empowered and required to summon, by Two Days previous Notice in Writing, any competent Surgeon residing at or nearest to the Place

Deputy Lieutenants may require the Attendance of any Surgeon residing near the Place of Meeting for Appeals.

Place where any Meeting for Appeals or Enrolment shall be held, to attend at such Meeting; and every such Surgeon shall, before he begins any such Examination, make the following Declaration, which Declaration any Deputy Lieutenant is hereby authorized to administer; (*videlicet*,)

Declaration to be made by Surgeon.

'I do solemnly declare, That I will, to the best of 'my Ability, faithfully and truly report as to the Fitness for 'Service of the Man or Men about to be submitted to my Exami-'nation, and that I will not receive from any of them any Fee or 'Reward whatever for any such Examination.'

Allowance to Surgeon.

And every such Surgeon shall receive for each Day's Attendance at such Meeting a Sum not less than Half a Guinea nor exceeding Two Guineas, according to the Extent of the Duty performed: Provided always, that the Accounts and Vouchers upon which the said Allowances shall be recommended by the Deputy Lieutenants of the respective Subdivisions shall be transmitted to the Secretary-at-War, with the Accounts of the Lieutenancy Clerks, for Examination and Payment.

Pay, &c. to be issued under Directions of the Secretary-at-War.

XXXIII. All Sums of Money granted for the Pay, Clothing, contingent and other Expenses, and for the Allowances to the Officers and Men of the Regular and Local Militia, when disembodied, shall be issued and paid under the Direction of the Secretary-at-War, by the Acceptance of Bills or otherwise, according to such Regulations as have been or shall be established on that Head.

Bills drawn for Pay, &c. may be on unstamped Paper.

XXXIV. All Bills, Drafts, and Orders drawn for Pay or Allowances under this Act may be drawn upon unstamped Paper; and no such Bill, Draft, or Order shall be void by reason of being drawn or written on unstamped Paper.

No Fee to be taken.

XXXV. No Fee or Gratuity whatsoever shall be given or paid for or upon account of any Warrant or Sum of Money which shall be issued in relation to or in pursuance of this Act.

Allowance to Adjutant for his Residence and Accommodation in Ireland.

Allowance for Hire of House or Place for depositing Arms and

XXXVI. For the Residence and Accommodation of the Adjutant belonging to any Regiment or Battalion of Militia in *Ireland*, when not embodied, there shall be paid to such Adjutant the yearly Sum of Twenty Pounds Seventeen Shillings of the Currency of the United Kingdom of *Great Britain* and *Ireland*, and for the Hire of any House or Place to be provided for the keeping of the Arms, Accoutrements, Clothing, or other Stores of such Regiment, there shall be paid to such Adjutant, or if there be no Adjutant, then to the Non-commissioned Officer in charge of the Stores, the yearly Sum of Five Pounds

Pounds of such Currency, which Sums shall be defrayed by the County; and the necessary Sum for that Purpose, and for all other Sums of Money and Expenses payable and to be defrayed by the County in respect of the Militia of the County, and all Arrears which shall not have been presented and paid before the passing of this Act, or which shall have become due before the Certificate thereof shall be transmitted as hereafter mentioned, shall be raised by the Presentment of the Grand Jury of the said County, which Presentment the Grand Jury of the County shall pass on a Certificate signed by the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or, in the Absence of such Chief Secretary, by the Under Secretary, or by the Assistant Under Secretary, without any Application at Presentment Sessions, and specifying the said Allowances to be made to the Adjutant, or to a Non-commissioned Officer, as the Case may be, and any other Expense payable and to be defrayed by the County in respect of the Militia of the County; and the said Certificate shall be transmitted by such Chief or Under Secretary or Assistant Under Secretary to the Clerk of the Crown for the County at any Time prior to the First Day of Assizes for such County, or if the County or County of the City of *Dublin*, then prior to the First Day of the Presenting Term.

Stores of the Militia in Ireland.

XXXVII. In all Cases where any Place provided under an Act passed in the Forty-second Year of the Reign of King *George* the Third, intituled *An Act for amending the Laws relating to the Militia in* England, *and for augmenting the Militia*, for the Purpose of keeping therein the Arms, Accoutrements, Clothing, and other Stores belonging to any Regiment, Battalion, or Corps of Militia, when not embodied, and the Hire or Cost of which Place may have been paid or is payable out of the County Rates by the Treasurer of the County in which such Place is situated, is or may become from any Cause insecure, insufficient, or unfit for the safe Custody of such Arms, Accoutrements, Clothing, and other Stores; or in case the Public Service or Convenience require the Site of the same to be changed, or in case no such Place has been provided, the Deputy Lieutenants of such County, at any General Meeting duly convened for this Purpose, upon the Representation of the Lord Lieutenant of such County, and the Colonel or Commandant of such Regiment, Battalion, or Corps of the County within which such Place is or is proposed to be situated, to the Effect that no such Place has been provided under the aforesaid Act, or that the Place provided is unfit, or insecure, or inefficient, and upon Evidence thereof, may and are hereby required to provide a suitable and secure Place, or to enlarge or alter and make secure

Providing Place for Arms, &c. 42 G. 3. c. 90.

and convenient the Place already provided, for the Purpose of keeping in proper Order and in safe Custody therein the Arms, Accoutrements, Clothing, and other Stores belonging to any Regiment, Battalion, or Corps of Militia of the County within which such Place is or is to be provided, and the Purchase, Hire, or Cost of which Place, in case the same shall be approved by the Lord Lieutenant and Colonel or Commandant of the Militia of such County, Riding, or Place, and the necessary Cost of Fuel for keeping it dry, shall be paid for by the Treasurer of such County, Riding, or Place, out of the County Rates: Provided always, that with a view to such safe Custody the Place so altered, enlarged, or provided shall contain an Orderly and Guard Room, and Quarters for the Serjeant Major, and such Proportion of the Non-commissioned Officers of the permanent Staff as may be a sufficient Guard for such Arms, being not less in any Case than One Half of the whole Number, nor less than Six, except in Corps consisting of less than Three Companies in which Corps all the Staff shall be provided with Quarters, and there shall be also provided a sufficient Yard or Parade Ground wherein the Men may be mustered for the Issue and Return of such Arms, Accoutrements, Clothing, and other Stores.

Power to borrow Money for providing Places for Stores, &c.

XXXVIII. For the Purpose of spreading over a Term of Years the Expense of altering, enlarging, or providing such Place, Orderly Room, and Quarters, the Justices of the County, Riding, or Place, or the major Part of them, such major Part not being less than Five, upon Representation from the Treasurer of the County, may borrow, on the Mortgage of the Rates of such County, Riding, or Place, all or any of the Money necessary for the Purpose of defraying such Expenses, and such Money may be so raised at any Rate of Interest not exceeding Five Pounds *per Centum per Annum*, and any such Mortgage shall be executed by the Chairman and Two or more other Justices present at the Time of making such Mortgage; and every such Mortgage shall be effectual for securing to the Person advancing the Sum of Money in such Mortgage expressed to be advanced, his Executors, Administrators, and Assigns, the Repayment thereof, with Interest for the same, after such Rate and at such Time and in such Manner as in such Mortgage provided; and every Person to whom any such Mortgage is made, his Executors or Administrators, is hereby empowered, by endorsing his or their Name or Names on such Mortgage, to transfer the same, and his and their Right to the Principal Money and Interest thereby secured; and every Assignee of any such Mortgage, his Executors and Administrators, may in like Manner transfer the same again, and so *toties quoties;* and the Persons to whom such Mortgages or such Transfers thereof are made, their Executors and Administrators, shall be Creditors upon the Rates and Funds thereby expressed

expressed to be mortgaged in an equal Degree one with another, and shall not have any Preference or Priority other than is provided under the Powers of this Act.

Justices to provide annually for Payment of Interest on Mortgages, and not less than One Thirtieth Part of the Principal.

XXXIX. The said Justices shall in every Year charge the Rates of such County with the Sum for the Time being required to pay the Interest of the Money borrowed on any Mortgages under this Act, or such of them as for the Time being remain unpaid, and also with the Payment of a further Sum, not less than One Thirtieth Part of the whole of such Mortgages at the Time of the same being first made, and such Sums shall be applied under the Direction of the said Justices in discharge of the Interest on the said Mortgages or such of them as for the Time being remain unpaid, and of so many of the Principal Sums owing on the said Mortgages for the Time being remaining unpaid, as such Sums after Payment of the Interest as aforesaid will extend to discharge, until the whole of the Principal Monies for which such Mortgages shall have been made, and the Interest thereof, shall be fully paid and discharged; and the said Justices are hereby required to fix One or more Days in each Year on which such Payment shall be made, and shall make Orders for Assessments in due Time, so as to provide for such Payments being regularly made; and the said Justices shall, by Agreement with the Parties, or others advancing any Money for the Purposes of this Act, determine the Order or Priority in which the several Sums advanced shall be respectively discharged.

Power to raise Money to pay off Sums already borrowed.

XL. It shall be lawful for the Justices of the County for which such Monies shall have been borrowed (with the Consent of the Parties to whom the same shall be owing) to pay off the Monies so borrowed, and to raise and borrow the Monies necessary for that Purpose, and also to repay the said last-mentioned Monies and the Interest thereof, under the Powers of this Act, as if such Monies were borrowed under the Powers herein-before contained, but so, nevertheless, that all Monies borrowed shall be discharged within Thirty Years from the Time of first borrowing the same.

Sale of Place which is not required.

XLI. In all such Cases as aforesaid the Persons or Person in whom such Place which may have become insecure, insufficient, unfit, or inconvenient as aforesaid for the Purposes aforesaid may be vested, upon Service upon them or him of an Order made at any Court of Quarter Sessions of the Peace, setting forth that another and more convenient and proper Place has been provided for the Purpose aforesaid, whereby the Place so purchased for the Purpose aforesaid has become useless, shall proceed forthwith, in such Manner as they shall think best, to sell and convey and assure the same to any Purchaser

Purchaser or Purchasers thereof, freed and discharged from the Uses or Trusts to which it had theretofore been liable and subject, and give Receipts and Acquittances for the Purchase Money or Purchase Monies thereof, and shall, upon Receipt of the Money arising therefrom, after deducting thereout all Costs and Charges attending such Sale or Sales, pay the same unto the Treasurer of such County, Riding, or Place, to be by him applied and paid towards the Cost of such Place to be so purchased as aforesaid, or the fitting up the same, and in case no such Place shall be so purchased, then toward the Expenses of fitting up such Place which may be so hired as aforesaid for the Purposes aforesaid, and the Residue of such Purchase Money (if any) shall be invested in the Public Funds, and the Interest thereof applied in aid of the Rate of such County or Riding, according as the Justices of the same in Quarter Session assembled may direct; and no Person purchasing any Place so sold as aforesaid shall be bound to inquire whether any of the Circumstances have arisen under which it has been determined to sell the same as aforesaid, nor shall he be bound to see to the Application or Nonapplication of his, her, or their respective Purchase Monies; and when and as soon as the Persons or Person in whom such Place shall have been so vested as aforesaid shall have paid to the said County Treasurer the clear Proceeds arising from such Sale or Sales, and shall have procured from such Treasurer his Receipt for the same, then and from thenceforth such Persons or Person shall be forthwith discharged from all Liability, Claim, or Demand in respect of the said Place so vested in him or them for the Purposes aforesaid, and also from all Liability, Claim, or Demand in respect of the Proceeds arising from the Sale of such Place; and such Receipt shall be a Bar to the Claim of any Person or Persons whatsoever in such County, Riding, or Place, or any Person or Persons claiming under them any Right, Title, or Estate to such Place or the Proceeds thereof.

Permanent Staff to be billeted.

XLII. Innkeepers and others who, according to the Provisions of the Mutiny Act, are liable to have Soldiers billeted upon them, shall in like Manner be subject to have the Permanent Staff of the Militia, when disembodied, billeted upon them, and in default of their providing convenient Lodging with Fire and Candle as prescribed in the Ninety-fourth Section of the Forty-second *George* the Third, Chapter Ninety, shall be liable to the Penalties imposed upon Civil Subjects offending against the Laws relating to Billets prescribed by the Act for punishing Mutiny and Desertion.

All Things in this Act relating to

XLIII. All Things in this Act contained relating to Counties, and to Regiments of Militia respectively, shall be construed to extend to

to all Ridings, Shires, Stewartries, Cities, and Places, and to all Battalions, Corps, and independent Companies respectively, and to the Corps of Miners of *Cornwall* and *Devon*.

Counties shall extend to Ridings, Shires, &c.

XLIV. This Act shall take effect and continue in force from the Thirty-first Day of *July* One thousand eight hundred and fifty-three until the First Day of *September* One thousand eight hundred and fifty-four.

Continuance of Act.

SCHEDULES to which this Act refers.

SCHEDULE A.

SCALE of RATES of REMUNERATION to the Clerks of General and Subdivision Meetings of Lieutenancy in Great Britain, including the Clerks of the Tower Hamlets and the Stannaries of Cornwall and Devon, and to Schoolmasters, Constables, and other Officers in Scotland, for carrying into execution the Acts 15 & 16 Vict. c. 50. and 42 Geo. 3. c. 91., and other Acts relating to the Militia, when the Militia are raised by Ballot.

ALLOWANCES TO THE CLERKS OF GENERAL MEETINGS.

	£	s.	d.
1. For Trouble in calling a General Meeting by Circular Letters or Advertisements (no separate Charge being made for writing the Letters or framing the Advertisements) -	0	7	6
2. For attending General Meetings at which the Statutory Quorum of Lieutenancy shall be present, each - -	5	5	0
For each Meeting which shall be necessarily adjourned by the Clerk in consequence of the Absence of the Lord Lieutenant or Deputy Lieutenants - - -	1	11	6
Which Allowances are to be in full for engrossing Minutes, &c.			
3. For filling up printed Precepts to the High or Chief Constable of each Subdivision, Hundred, Lathe, Rape, or Wapentake in England and Wales, including the Tower Hamlets, and the Stannaries of Cornwall and Devon, to return Lists, each	0	0	6
For filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland to return Lists, each - - - - -	0	0	6
4. For writing the annual Advertisements for regulating, arranging, and fixing the First Subdivision Meeting of the Deputy Lieutenants for receiving the Parochial Lists and hearing Appeals - - - - -	0	7	6
5. For arranging Subdivision Lists and making Abstracts thereof, Schedule (D.), for the Privy Council, the Secretary of State, and the Secretary-at-War (the latter Copy to be annexed to the Clerk's Accounts as a Voucher); videlicet,			
In Counties furnishing a Quota of 200 Men or under in the original Number of the Militia - - -	2	2	0
In Counties furnishing from 201 to 400 Men - -	3	3	0
Ditto - - from 401 to 600 Men - -	4	4	0
Ditto - - from 601 to 800 Men - -	5	5	0
Ditto - - from 801 Men and upwards -	6	6	0
6. For striking the Proportion of Men to serve for the several Hundreds, Rapes, Lathes, Wapentakes, or other Divisions of a County in England and Wales, and for each respective Parish or other Division of a County or Stewartry in Scotland, under the several Acts of Parliament relating to the Regular Militia, when necessary to be done:			
In Counties furnishing a Quota of 200 Men or under -	1	1	0
Ditto - - - from 201 to 400 Men -	2	2	0
Ditto - - - from 401 to 600 Men -	3	3	0
Ditto - - - from 601 to 800 Men -	4	4	0
Ditto - - - from 801 Men and upwards	5	5	0

Militia Pay.

	£	s.	d.
7. For Trouble in engrossing in a Book the Names of the Men contained in each Subdivision Return of Enrolment, Schedule (E.):			
For engrossing 50 Names and under - - -	0	5	0
Ditto - 51 to 150 Names - - - -	0	10	0
Ditto - 151 to 250 Names - - -	1	0	0
Ditto - 251 Names and upwards - - -	1	10	0
8. For drawing out fair Copy of the Lord Lieutenant's annual Return of the Militia for the County, containing the Number, Names, and Rank of the Officers, and the Number of the Non-commissioned Officers, Drummers, and Private Men:			
In Counties furnishing One Regiment, Battalion, or Corps - - - - - -	0	15	0
Ditto - Two - Ditto - -	1	10	0
Ditto - Three - Ditto - . -	2	0	0
No separate Charge being made for Attendance upon the Lord Lieutenant or Deputy Lieutenants for his or their Signatures thereto.			
Note.—This Allowance is of course only chargeable by the General Clerks for those Counties in Scotland which furnish the greatest Proportion of Men towards the Formation of the Regiment, Battalion, or Corps.			
9. For Stationery:			
To the Clerk of General Meetings in a County where the Number in the original Quota of the Militia is under 300 Men - - - - - -	2	0	0
Ditto - from 301 to 600 Men - -	3	0	0
Ditto - from 601 to 900 Men - - -	4	0	0
Ditto - from 901 Men and upwards - -	5	0	0
10. For Copyings, Correspondence, &c. &c.:			
To the Clerk of the General Meetings in a County where the Number of the original Quota of the Militia is 200 Men or under - - - - -	2	0	0
In a County furnishing from 201 to 400 Men - -	3	0	0
Ditto - - from 401 to 600 Men - -	4	0	0
Ditto - - from 601 to 800 Men - -	5	0	0
Ditto - - from 801 Men and upwards -	6	0	0
11. The actual Amount expended for printing and publishing the Advertisements, for Postages, Expresses, and Messengers, to be allowed upon an Account, specifying each Article of Postage, &c., certified specially by the Lieutenancy, whose Certificate shall state that the same were necessary and actually performed.			
The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.			

TRAINING AND EXERCISE.

12. For filling up printed Notices to the Clerks of Subdivision Meetings of the Time and Place fixed by the Lord Lieutenant or Deputy Lieutenants for assembling the Militia to be trained and exercised, each Notice - - -	0	0	6
13. For making out correct Abstracts from the Adjutant's or other Commanding Officer's Returns, Schedule (F.), in the Form Schedule (G.), for Her Majesty's Secretary of State for the Home Department in Counties in England and			

	£	s.	d.
Scotland furnishing a Quota towards the Formation of an entire Regiment or Battalion - - - -	1	0	0
In Counties in England, Wales, and Scotland furnishing One Regiment, Battalion, or Corps - -	2	0	0
Ditto - Two - Ditto -	3	0	0
Ditto - Three - Ditto - -	4	0	0

ALLOWANCES TO CLERKS OF SUBDIVISION MEETINGS.

14. For Trouble in calling a Subdivision Meeting by Advertisement, no separate Charge being made for writing Letters or framing Advertisement - - - -	0	5	0
Or for calling a Meeting by Circular Letters to the Deputy Lieutenants, the Adjutant, or other Commanding Officer, (no Charge being made for the Draft,) for each Letter -	0	1	0
15. For attending Subdivision Meetings, for each of the Three first or principal Meetings at which the Statutory Quorum of Lieutenancy shall be present; videlicet, For receiving Lists and hearing Appeals, For balloting, For enrolling, And for the Meeting held to apportion the Deficiencies among the Parishes, et cetera, when necessary to be done; and also for calling out the Quota or Apportionment of the Subdivision to be trained and exercised, which Allowance shall be in full for engrossing Minutes and making up Lists - - -	2	2	0
And for each Meeting held by Adjournment to complete the Business of any or either of the Three first or principal Meetings above enumerated, which Allowance shall be in full for engrossing Minutes and making up Lists - -	1	5	0
And for each Meeting which shall have been summoned, but which is necessarily postponed by the Subdivision Clerk in consequence of the Absence of the Deputy Lieutenant -	0	15	0
16. For filling up printed Precepts to the Chief or High Constables in England and Wales, including the Tower Hamlets and Stannaries of Cornwall and Devon, to give Notice of the Number of Men apportioned to serve for each Parish, and to issue out their Orders to the Petty Constables to serve Notices upon balloted Men, each Precept - -	0	0	6
And for filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland, for the Performance of similar Duty, each Precept - -	0	0	6
17. For Trouble in amending the Returns of Persons liable to serve in the Regular Militia, by taking out the Names of all Persons who may appeal, and whose Appeals or Claims of Exemption have been allowed, and inserting the Names of any Persons that have been omitted to be inserted, and in numbering the Returns, and making out the Tickets for the balloting, after the Rate of Two Pounds for every One thousand Names of Persons returned liable to serve, and so in proportion for a greater or smaller Number of Men	£2 per 1,000		
18. For making out the annual Abstracts of Lists, Schedule (C.), for the Use of the Clerk of General Meetings, where the original Quota or Apportionment of the Subdivision is - - 50 Men and under - - -	2	2	0
Ditto from 51 to 150 Men - - -	3	3	0
Ditto from 151 to 250 Men - - -	4	4	0
Ditto from 251 Men and upwards - -	5	5	0

Militia Pay.

	£	s.	d.
19. For making out fair and true Copies of Lists of Men enrolled for each Subdivision of a County in Great Britain, including the Tower Hamlets and the Stannaries of Cornwall and Devon, for the Use of the Clerk of General Meetings, Schedule (E.), and the Colonel or Commandant of the Regiment of the County; (videlicet,)			
For a Roll containing 50 Names and under - -	0	5	0
Ditto from 51 to 150 Names - - -	0	10	0
Ditto from 151 to 250 Names - - -	0	15	0
Ditto from 251 Names and upwards - -	1	0	0
20. For Stationery to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions; (videlicet,)			
For a Subdivision furnishing 50 Men and under -	1	10	0
Ditto from 51 to 150 Men - -	2	0	0
Ditto from 151 to 250 Men - - -	2	10	0
Ditto from 251 Men and upwards - -	3	0	0
21. For Correspondence, Copyings, et cetera, to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions; (videlicet,)			
For a Subdivision furnishing 50 Men and under -	2	0	0
Ditto from 51 to 150 Men - - -	3	0	0
Ditto from 151 to 250 Men - -	4	0	0
Ditto from 251 Men and upwards - -	5	0	0
22. The actual Amount expended for printing and publishing Advertisements, for Postage, Expresses, and Messengers, to be allowed upon an Account specifying each Article of Postage, and specially certified by the Lieutenancy, whose Certificate shall state that the same was necessary and actually performed.			
The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.			
23. For Trouble in apportioning and distributing to the Constables of the several Townships, Parishes, et cetera, within the Limits of the Subdivision, the various forms of Schedules, et cetera:			
For a Subdivision furnishing 50 Men and under -	0	5	0
Ditto from 51 to 150 Men - -	0	10	0
Ditto from 151 to 250 Men - -	0	15	0
Ditto from 251 Men and upwards - -	1	0	0

TRAINING AND EXERCISE.

24. For filling up printed Precepts to the High or Chief Constable in each Subdivision of any County in England and Wales, including the Tower Hamlets and the Stannaries of Cornwall and Devon, to issue out their Warrants to the Petty Constables, Tithingmen, or other Officers within their respective Hundreds to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:			
For each Precept containing 50 Names and under -	0	5	0
Ditto from 51 to 150 Names - - -	0	10	0
Ditto from 151 to 250 Names - -	0	15	0
Ditto from 251 Names and upwards - -	1	0	0

	£	s.	d.
And for filling up printed Precepts to the Chief Constables, and to the Schoolmasters, Constables, or other Officers of the Parishes within the Subdivision of any County, Stewartry, City, or Place in Scotland, to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:			
For each Precept containing 10 Names and under	0	0	6
Ditto from 11 to 30 Names -	0	1	0
Ditto from 31 to 50 Names -	0	2	6
Ditto from 51 to 70 Names -	0	4	0
Ditto from 71 to 100 Names - -	0	7	0
Ditto from 100 upwards - -	0	10	0
25. For making out full and true Lists of the Names and Dates of Enrolment of all Persons enrolled within each Subdivision respectively, for the Use of the Commanding Officer and Adjutant of each Regiment, Battalion, or Corps of any County, Stewartry, City, or Place in Great Britain, previously to the Training and Exercise:			
For a Roll containing 20 Names and under - -	0	2	0
Ditto from 21 to 50 Names - -	0	5	0
Ditto from 51 to 150 Names - - -	0	10	0
Ditto from 151 to 250 Names - -	0	15	0
Ditto from 251 and upwards - - -	1	0	0
26. For correcting the Books of Enrolment of the Subdivision so as to correspond accurately with the Extracts from the Adjutant's or other Commanding Officer's Return, Schedule (F.), of the State of the Classes of the Men forming the Quota or Apportionment serving in the Regiment, Battalion, or Corps of Militia of any County, Stewartry, City, or Place in Great Britain:			
For a Subdivision furnishing 50 Men and under -	0	5	0
Ditto from 51 to 150 Men - - -	0	10	0
Ditto from 151 to 250 Men - - -	0	15	0
Ditto from 251 and upwards - - -	1	0	0

ALLOWANCES TO SCHOOLMASTERS IN SCOTLAND.

27. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours - - -	0	5	0
28. For making out Lists, for each Folio consisting of Sixty Lines - - - - - - -	0	1	0
29. For attending Meetings of Lieutenancy, each Meeting -	0	10	0
30. For filling up and delivering Notices to balloted Men, per Day - - - - - -	0	5	0
31. For Stationery, per Annum - - - -	0	5	0

ALLOWANCES TO CONSTABLES IN SCOTLAND.

32. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours - - -	0	4	0
33. For making out Lists, for each Folio consisting of Sixty Lines - - - - -	0	1	0
34. For attending each Meeting of Lieutenancy, per Day -	0	4	0
35. For filling up and delivering Notices to balloted and enrolled Men, per Day - - - -	0	4	0
36. For Stationery, where the Lists are made out by the Constables, per Annum - - - -	0	5	0

SPECIAL CONTINGENT ALLOWANCES applicable to the Clerks of General Subdivision Meetings of Lieutenancy respectively.

37. When it is necessary to call the Person from a Distance to perform the Duty of a General or Subdivision Clerk, such Person shall have an Allowance for his travelling Expenses not exceeding Ninepence per Mile, and the Expenses of Tolls and Ferry Money; but the Particulars of such Expenses shall be specified in a Statement, and certified by the Lieutenancy, and transmitted in support of the Charge in the Clerk's annual Account.

38. The Expense necessarily incurred for the Use of the Room at the Place of Meeting to be allowed upon the Production of the Receipt of the Person to whom the same may be paid.

SCHEDULE B.

SCALE of RATES of REMUNERATION to the Clerks of General Meetings for any Duty they may be required to perform under the Act 15 & 16 Vict. c. 50., or by Her Majesty's Secretary of State, in execution of the Provisions of the said Act when the Militia is raised otherwise than by Ballot.

CLERKS OF GENERAL MEETINGS.

	Per Annum £	s.	d
For Trouble in executing the Duty required under the 15 & 16 Vict. c. 50., including Copyings, Correspondence, and Stationery:			
In Counties where the Quota does not exceed 200 - -	15	0	0
Where the Quota is			
Above 200, and not exceeding 400 - - -	20	0	0
Above 400, and not exceeding 500 - - -	25	0	0
And where the Quota exceeds 500, the following Additions for every 100, or fractional Part of 100:			
Above 500, and not exceeding 1,000 - -	4	0	0
Above 1,000, and not exceeding 2,000 - - -	3	0	0
Above 2,000, and not exceeding 3,000 - -	2	0	0
Above 3,000, and not exceeding 4,000 - -	1	10	0
Above 4,000 - - - - -	1	0	0
The actual Expense incurred in printing or advertising:			
For convening and attending any General Meeting summoned by the distinct Order of the Secretary of State -	2	2	0

LONDON:
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VICTORIÆ REGINÆ.

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Land Tax redeemed to merge in the Estate.

II. Upon the Completion of any Contract entered into after the passing of this Act for the Redemption of Land Tax, and upon the Transfer or Payment of the Consideration for the same, the Messuages, Lands, Tenements, or Hereditaments comprised in such Contract shall be wholly freed and exonerated from the Land Tax charged thereon, and from all further Assessments thereof, and from any yearly Term, Rent, or Rentcharge in respect of any Consideration for such Contract.

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CAP. CXVIII.

An Act to amend an Act of the Seventh Year of Her Majesty for the better Apprehension of certain Offenders. [20th *August* 1853.]

WHEREAS by an Act passed in the Session holden in the Sixth and Seventh Years of Her Majesty (Chapter Thirty-four) "for the better Apprehension of certain Offenders," it is provided, that it shall not be lawful for any Person to endorse his Name upon any such Warrant as therein mentioned, for the Purpose of authorizing the Apprehension of any Person under that Act, unless it shall appear upon the Face of the said Warrant that the Offence which the Person for whose Apprehension the said Warrant has been issued is charged to have committed is such that, if committed within that Part of Her Majesty's Dominions where the Warrant is so endorsed, it would have amounted in Law to a Treason, or some Felony such as the Justices of the Peace in General or Quarter Sessions assembled have not Authority to try in *England* under the Provisions of an Act passed in the Sixth Year of Her Majesty, intituled *An Act to define the Jurisdiction of Justices in General and Quarter Sessions of the Peace*, or unless the Depositions appear sufficient to warrant the Committal of such Person for Trial: And whereas it is expedient that the Provisions of the said Act should be extended to

6 & 7 Vict. c. 34.

5 & 6 Vict. c. 38.

Persons charged with any Felony: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the recited Enactment shall hereafter be read and construed as if the Words "such as the Justices of the Peace in General or Quarter "Sessions assembled have not Authority to try in *England* under the "Provisions of an Act passed in the Sixth Year of the Reign of Her "Majesty, intituled *An Act to define the Jurisdiction of Justices in "General and Quarter Sessions of the Peace*," had been omitted therein.

Recited Act extended to all Felonies.

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CAP CXIX.

An Act for the Suppression of Betting Houses.

[20th *August* 1853.]

WHEREAS a kind of Gaming has of late sprung up tending to the Injury and Demoralization of improvident Persons by the opening of Places called Betting Houses or Offices, and the receiving of Money in advance by the Owners or Occupiers of such Houses or Offices, or by other Persons acting on their Behalf, on their Promises to pay Money on Events of Horse Races and the like Contingencies: For the Suppression thereof be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. No House, Office, Room, or other Place shall be opened, kept, or used for the Purpose of the Owner, Occupier, or Keeper thereof, or any Person using the same, or any Person procured or employed by or acting for or on behalf of such Owner, Occupier, or Keeper, or Person using the same, or of any Person having the Care or Management or in any Manner conducting the Business thereof betting with Persons resorting thereto; or for the Purpose of any Money or valuable Thing being received by or on behalf of such Owner, Occupier, Keeper, or Person as aforesaid as or for the Consideration

No. House, &c. to be kept for Purpose of Owner or Occupier betting with other Persons.

Consideration for any Assurance, Undertaking, Promise, or Agreement, express or implied, to pay or give thereafter any Money or valuable Thing on any Event or Contingency of or relating to any Horse Race, or other Race, Fight, Game, Sport, or Exercise, or as or for the Consideration for securing the paying or giving by some other Person of any Money or valuable Thing on any such Event or Contingency as aforesaid; and every House, Office, Room, or other Place opened, kept, or used for the Purposes aforesaid, or any of them, is hereby declared to be a common Nuisance and contrary to Law.

Betting Houses to be Gaming Houses within 8 & 9 Vict. c. 109.

II. Every House, Room, Office, or Place opened, kept, or used for the Purposes aforesaid, or any of them, shall be taken and deemed to be a common Gaming House within the Meaning of an Act of the Session holden in the Eighth and Ninth Years of Her Majesty, Chapter One hundred and nine, "to amend the Law concerning "Games and Wagers."

Penalty on Owner or Occupier of Betting House.

III. Any Person who being the Owner or Occupier of any House, Office, Room, or other Place, or a Person using the same, shall open, keep, or use the same for the Purposes herein-before mentioned, or either of them; and any Person who being the Owner or Occupier of any House, Room, Office, or other Place shall knowingly and wilfully permit the same to be opened, kept, or used by any other Person for the Purposes aforesaid, or either of them; and any Person having the Care or Management of or in any Manner assisting in conducting the Business of any House, Office, Room, or Place opened, kept, or used for the Purposes aforesaid, or either of them, shall, on summary Conviction thereof before any Two Justices of the Peace, be liable to forfeit and pay such Penalty, not exceeding One hundred Pounds, as shall be adjudged by such Justices, and may be further adjudged by such Justices to pay such Costs attending such Conviction as to the said Justices shall seem reasonable; and on the Nonpayment of such Penalty and Costs, or in the first instance, if to the said Justices it shall seem fit, may be committed to the Common Gaol or House of Correction, with or without Hard Labour, for any Time not exceeding Six Calendar Months.

Penalty on Persons receiving Money on condition of paying Money on Event of any Bet.

IV. Any Person, being the Owner or Occupier of any House, Office, Room, or Place opened, kept, or used for the Purposes aforesaid, or either of them, or any Person acting for or on behalf of any such Owner or Occupier, or any Person having the Care or Management or in any Manner assisting in conducting the Business thereof, who shall receive, directly or indirectly, any Money or valuable Thing as a Deposit on any Bet on condition of paying any Sum

Sum of Money or other valuable Thing on the happening of any Event or Contingency of or relating to a Horse Race or any other Race, or any Fight, Game, Sport, or Exercise, or as or for the Consideration for any Assurance, Undertaking, Promise, or Agreement express or implied, to pay or give thereafter any Money or valuable Thing on any such Event or Contingency, and any Person giving any Acknowledgment, Note, Security, or Draft on the Receipt of any Money or valuable Thing so paid or given as aforesaid purporting or intended to entitle the Bearer or any other Person to receive any Money or valuable Thing on the happening of any such Event or Contingency as aforesaid, shall, upon summary Conviction thereof before Two Justices of the Peace, forfeit and pay such Penalty, not exceeding Fifty Pounds, as shall be adjudged by such Justices, and may be further adjudged by such Justices to pay such Costs attending such Conviction as to the said Justices shall seem reasonable; and on the Nonpayment of such Penalty and Costs, or in the first instance if to such Justices it shall seem fit, may be committed to the Common Gaol or House of Correction, with or without Hard Labour, for any Time not exceeding Three Calendar Months.

Money so received may be recovered from the Persons receiving the same.

V. Any Money or valuable Thing received by any such Person aforesaid as a Deposit on any Bet, or as or for the Consideration for any such Assurance, Undertaking, Promise, or Agreement as aforesaid, shall be deemed to have been received to or for the Use of the Person from whom the same was received, and such Money or valuable Thing, or the Value thereof, may be recovered accordingly, with full Costs of Suit, in any Court of competent Jurisdiction.

This Act not to extend to Stakes due to Owner of Horse winning a Race.

VI. Provided always, That nothing in this Act contained shall extend to any Person receiving or holding any Money or valuable Thing by way of Stakes or Deposit to be paid to the Winner of any Race, or lawful Sport, Game, or Exercise, or to the Owner of any Horse engaged in any Race.

Penalty on Persons exhibiting Placards or advertising Betting Houses.

VII. Any Person exhibiting or publishing or causing to be exhibited or published any Placard, Handbill, Card, Writing, Sign, or Advertisement whereby it shall be made to appear that any House, Office, Room, or Place is opened, kept, or used for the Purpose of making Bets or Wagers, in manner aforesaid, or for the Purpose of exhibiting Lists for betting, or with Intent to induce any Person to resort to such House, Office, Room, or Place for the Purpose of making Bets or Wagers, in manner aforesaid, or any Person who, on behalf of the Owner or Occupier of any such House, Office, Room, or Place, or Person using the same, shall invite other Persons to resort thereto for the Purpose of making Bets or Wagers, in manner aforesaid, shall, upon summary Conviction

Conviction thereof before Two Justices of the Peace, forfeit and pay a Sum not exceeding Thirty Pounds, and may be further adjudged by such Justices to pay such Costs attending such Conviction as to the said Justices shall seem reasonable; and on the Nonpayment of such Penalty and Costs, or in the first instance if to such Justices it shall seem fit, may be committed to the Common Gaol or House of Correction, with or without Hard Labour, for any Time not exceeding Two Calendar Months.

Penalties and Costs may be levied by Distress.

VIII. If any Person convicted under this Act on Information before Justices shall be adjudged to pay any Penalty, or any Costs and Charges attending the Conviction, and shall fail to pay such Penalty or Costs, the same may be levied by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of One of the convicting Justices: Provided always, that if any Person shall be committed to Prison for default of Payment of any Penalty and Costs, then the Costs alone may be levied by Distress as aforesaid.

Application of Penalties.

IX. One Half of every pecuniary Penalty which shall be adjudged to be paid under this Act shall be paid to the Informer, and the remaining Half shall be applied in aid of the Poor Rate of the Parish in which the Offence shall have been committed, and shall be paid for that Purpose to the Overseer or other Person authorized to receive Poor Rates in such Parish, or if the Place wherein the Offence shall have been committed shall be extra-parochial, then the Justices by whom such Penalty shall be adjudged to be paid shall direct such remaining Half thereof to be applied in aid of the Poor Rate of such extra-parochial Place, or, if there shall not be any Poor Rate therein, in aid of the Poor Rate of any adjoining Parish or District.

On Neglect to prosecute any Summons, Justices may authorize some other Person to proceed.

X. In case any Person who shall have laid any Complaint or Information in respect of any Offence against this Act shall not appear at the Time at which the Defendant may have been summoned to appear, or at any Time to which the Hearing of the Summons may have been adjourned, or, in the Opinion of any Justices having Authority to adjudicate with respect to the Offence charged in such Information or Complaint as aforesaid, shall otherwise have neglected to proceed upon or prosecute such Information or Complaint with due Diligence, it shall be lawful for such Justices to authorize any other Person to proceed on such Summons instead of the Person to whom the same may have been granted, or, if such Justices think fit, to dismiss the Summons already granted, and authorize any Person to take out a fresh Summons in respect of the Offence charged in such Information or Complaint, in like Manner as if the previous Summons had not been granted.

XI. It

XI. It shall be lawful for any Justice of the Peace, upon Complaint made before him on Oath that there is Reason to suspect any House, Office, Room, or Place to be kept or used as a Betting House or Office, contrary to this Act, to give Authority by special Warrant under his Hand, when in his Discretion he shall think fit, to any Constable or Police Officer, to enter, with such Assistance as may be found necessary, into such House, Office, Room, or Place, and, if necessary, to use Force for making such Entry, whether by breaking open Doors or otherwise, and to arrest, search, and bring before a Justice of the Peace all such Persons found therein, and to seize all Lists, Cards, or other Documents relating to racing or betting found in such House or Premises; and any such Warrant may be according to the Form given in the First Schedule annexed to the before-mentioned Act "to amend "the Law concerning Games and Wagers."

Justices may authorize Search of suspected Houses.

XII. If any Superintendent belonging to the Metropolitan Police Force shall report in Writing to the Commissioners of Police of the Metropolis that there are good Grounds for believing and that he does believe that any House, Office, Room, or Place within the Metropolitan Police District is kept or used as a Betting House or Office, contrary to this Act, it shall be lawful for either of the said Commissioners by Order in Writing to authorize the Superintendent to enter any such House, Office, Room, or Place, with such Constables as shall be directed by the Commissioner to accompany him, and, if necessary, to use Force for the Purpose of effecting such Entry, whether by breaking open Doors or otherwise, and to take into Custody all Persons who shall be found therein, and to seize all Lists, Cards, or other Documents relating to racing or betting found in such House or Premises.

Commissioner of Police may authorize Superintendent of Police to enter and search suspected Houses.

XIII. Any Person who shall be summarily convicted under this Act may appeal to the next General or Quarter Session of the Peace to be holden for the County or Place wherein the Cause of Complaint shall have arisen, provided that such Person at the Time of the Conviction give Notice of his Intention to appeal, and shall at the Time of such Conviction, or within Forty-eight Hours thereafter, enter into a Recognizance with Two sufficient Securities conditioned personally to appear at the said Session to try such Appeal, and to abide the further Judgment of the Court at such Session, and to pay such Costs as shall be by the last-mentioned Court awarded; and it shall be lawful for the Magistrate or Justices by whom such Conviction shall have been made to bind over any Party who shall have made Information against the Party convicted, and any Witnesses who shall have been examined, in sufficient Recognizances to attend and be examined at the hearing of such Appeal; and every such Witness, on producing a Certificate of being so bound under the Hand of the said Magistrate

Appeal to Quarter Sessions.

 or

or Justices, shall be allowed Compensation for his or her Time, Trouble, and Expenses in attending the Appeal, which Compensation shall be paid in the first instance by the Treasurer of the County or Place in like Manner as in Cases of Misdemeanor under the Provisions of an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act for improving the Administration of Criminal Justice in* England; and in case any such Appeal shall be dismissed and the Order or Conviction affirmed, the reasonable Expenses of all such Witnesses attending as aforesaid, to be ascertained by the Court, shall be repaid to the said Treasurer by the Appellant.

7 & 8 G. 4. c. 28.

No Objection in Matter of Form and Certiorari taken away.

XIV. On any such Appeal no Objection shall be allowed to the Information whereon the Conviction has taken place, or to such Conviction, on any Matter of Form or on any Insufficiency of Statement, provided it shall appear to the Justices in Quarter Sessions that the Defendant has been sufficiently informed of the Charge intended to be made against him, and that such Conviction was proper on the Merits of the Case; and no Information, Conviction, or Judgment of the Justices in General or Quarter Sessions shall be removed by Certiorari into the Court of Queen's Bench.

Distress not unlawful for Want of Form.

XV. When any Distress shall be made for any Money to be levied by virtue of the Warrant of any Justice under this Act, the Distress shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Information, Summons, Warrant of Apprehension, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser from the Beginning on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage by an Action on the Case in any of Her Majesty's Courts of Record.

Tender of Amends, &c.

XVI. No Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act, or in, under, or by virtue of any Authority hereby given, if Tender of sufficient Amends shall have been made by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding before such Action brought, and in case no Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined to pay into Court such Sum of Money as he shall think fit, whereupon such Proceeding, Order, and Adjudication shall be had and made in and

and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Limitation of Actions.

XVII. No Action, Suit, or Information, or any other Proceeding, of what Nature soever, shall be brought against any Person for anything done or omitted to be done in pursuance of this Act, or in the Execution of the Authorities under this Act, unless Notice in Writing shall be given by the Party intending to prosecute such Suit, Information, or other Proceeding to the intended Defendant One Calendar Month at least before prosecuting the same, nor unless such Action, Suit, Information, or other Proceeding shall be brought or commenced within Three Calendar Months next after the Act or Omission complained of, or in case there shall be a Continuation of Damage then within Three Calendar Months next after the doing such Damage shall have ceased.

Interpretation of Terms.

XVIII. In *Ireland* the Term "Metropolitan Police Force," and the Terms "Commissioners of the Police of the Metropolis," and the Terms "Metropolitan Police District" shall mean and include respectively the *Dublin* Metropolitan Police Force, the Commissioners of Police of *Dublin* Metropolis, and the Police District of *Dublin* Metropolis.

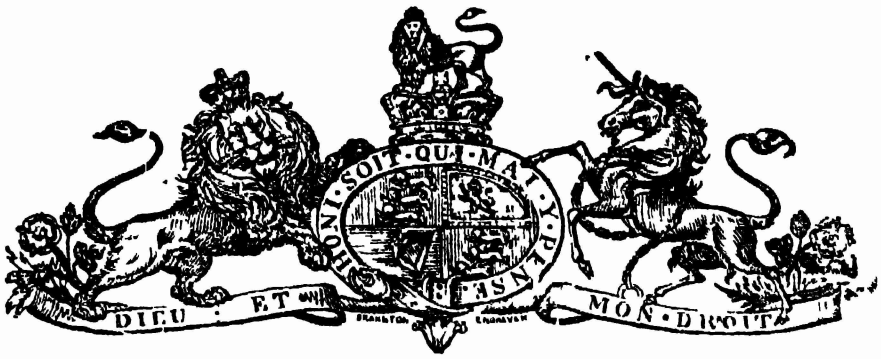
Commencement of Act.

XIX. This Act shall commence and come into operation on the First Day of *December* One thousand eight hundred and fifty-three.

Act not to extend to Scotland.

XX. This Act shall not extend to *Scotland*.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1853.



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VICTORIÆ REGINÆ.

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Second Annual Inclosure Act, 1853," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Stratfield Turgiss, &c. - -	Southampton and Berks	6th March 1851.
Knighton - - -	Radnor - -	5th January 1853.
Knaresdale Common - -	Northumberland -	25th August 1852.
Hopesay - - -	Salop - -	3d February 1853.
Llanfihangel-y-eroth - -	Carmarthen - -	10th November 1852.
Beacon Hill - -	Stafford - - -	8th April 1853.
Halse - - -	Somerset - -	12th April 1853.
Farnham - - -	Surrey - -	21st April 1853.
Hammerwich - -	Stafford - -	21st April 1853.
Chobham - - -	Surrey - -	21st April 1853.
Stroud Wood Common -	Southampton - -	3d March 1853.
Llanfair Mountain - -	Cardigan - -	21st April 1853.
Greshaw Green - -	Suffolk - -	26th May 1853.
Dickleburgh - -	Norfolk - -	17th March 1853.
Rawreth Shot - -	Essex - -	30th June 1853.
Chardstock - -	Dorset - - -	30th June 1853.
Chisenbury Farm - -	Wilts - - -	2d June 1853.
Church Knowle - -	Dorset - -	30th June 1853.
Aldershot - - -	Southampton - -	18th July 1853.
Souldern - -	Oxford - -	10th June 1853.
Wormley - - -	Hertford - -	21st July 1853.
Cheddington Fields - -	Buckingham - -	25th July 1853.
Pitstone - - -	Buckingham - -	25th July 1853.
Longframlington - -	Northumberland -	22d April 1853.
Old Storridge Common -	Worcester - -	13th July 1853.
Undy and Bishton - -	Monmouth - -	13th July 1853.
Cerrig-y-druidion - -	Denbigh - -	5th July 1853.

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appoint a Superintendent of the said Places of Confinement, and, in case it should be deemed expedient, also an Assistant or Deputy to such Superintendent, at One or more of the said Places of Confinement, and also an Overseer of each such Place of Confinement: And whereas by an Act of the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter Twenty-six, it was enacted, that upon the next Vacancy in the Office of Superintendent of Convicts in *England* under Sentence or Order of Transportation, so much of the said Act of the Fifth Year of King *George* the Fourth as provides for the Appointment of such Superintendent by Her Majesty, or any Overseer or Assistant or Deputy to such Superintendent, should be repealed, and that all Male Offenders in *England* under Sentence or Order of Transportation should be thenceforth in the Custody and Management of such Person or Persons as should be for that Purpose appointed by One of Her Majesty's Principal Secretaries of State, and that the Provisions of the said Act of the Fifth Year of King *George* the Fourth, not altered by the Act now in recital, with respect to the Superintendent and Overseer having Custody of any Offenders under the said Act, should apply to the Persons severally having the Custody and Management of such Offenders under the said Act now in recital: And whereas by an Act of the Session holden in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Thirty-nine, all such of the Powers and Duties theretofore vested in and to be performed by the said Superintendent of Convicts as by the said Act of the Ninth and Tenth Years of Her Majesty were transferred to the Person or Persons having the Custody and Management of such Offenders as aforesaid under that Act, were by the Act now in recital transferred to the Directors of Convict Prisons to be appointed thereunder, and all or any of the Powers and Duties of the said Superintendent of Convicts thereby transferred to the said Directors were thereby authorized to be exercised and performed by any One of such Directors: And whereas it is expedient that Places of Confinement should be appointed in *England* or *Wales* for Female Offenders under Sentence or Order of Transportation: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

9 & 10 Vict. c. 26.

13 & 14 Vict. c. 39.

Provisions for and concerning Appointment of Places of Confinement in England for Male Convicts under Sen-

I. All the Powers and Provisions contained in Section Ten of the said Act of the Fifth Year of King *George* the Fourth, authorizing the Appointment by Her Majesty from Time to Time of Places of Confinement as therein mentioned for Male Offenders under Sentence or Order of Transportation, and concerning the Removal to or from and Confinement in such Places of Confinement of Male Offenders in the Cases therein mentioned, shall extend and be applicable to and for

for the Appointment by Her Majesty of like Places of Confinement for Female Offenders under Sentence or Order of Transportation, and the Removal to or from and Confinement in such Places of Female Offenders in the like Cases; and all the Provisions now in force of the Acts herein recited, and of any other Act, concerning or relating to the Regulation and Government of the Places of Confinement appointed under the Authority contained in Section Ten of the said Act of the Fifth Year of King *George* the Fourth, and the Custody, Treatment, Management, and Control of or otherwise in relation to the Offenders confined therein, shall extend and be applicable to and in respect of the Places of Confinement appointed under this Act, and the Female Offenders to be confined therein.

tence or Order of Transportation extended to Females.

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in Register Books kept at the said Church, in compliance with the Provisions concerning Registry of Marriages: And whereas it is expedient to remove all Doubts arising from the Circumstances aforesaid touching the Validity of the Marriages so as aforesaid solemnized in the said Church: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

Marriages solemnized in Holy Trinity Church, Hulme, declared valid.

I. All Marriages heretofore solemnized in the said Church and the Publication of Banns in such Church previous to any such Marriage, shall be and be deemed to have been as good, valid, and effectual in the Law to all Intents and Purposes whatsoever as if such Marriages had been solemnized and such Publication of Banns had taken place in the Collegiate or Cathedral and Parish Church of *Manchester*.

Ministers having solemnized Marriages indemnified.

II. No Minister who has solemnized any of the said Marriages shall be liable to any Ecclesiastical Censures, or to any other Proceedings or Penalties whatsoever, by reason of his having so as aforesaid solemnized the same respectively.

Registers to be Evidence.

III. The Registers of the Marriages so solemnized as aforesaid, or Copies of such Registers, shall be received in all Courts of Law and Equity as Evidence of such Marriages respectively, in the same Manner as Registers of Marriages in Parish Churches, or Copies thereof, are by Law receivable in Evidence.

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CAP. CXXIII.

An Act to amend the Laws relating to the Investments of Friendly Societies.

[20th *August* 1853.]

WHEREAS by the Acts now in force relating to Friendly Societies such Societies are authorized and required to invest their Funds in the Manner and upon the Securities mentioned in the said Acts: And whereas it is expedient to grant other Facilities for investing their Funds to such Societies: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Friendly Societies may invest their Funds otherwise than as required by 13 & 14 Vict. c. 115.

I. Any Friendly Society duly established under any Act of Parliament, and which is empowered by its Rules to assure to or on the Death of any Person a Sum exceeding Two hundred Pounds, or to grant an Annuity on any Life exceeding Thirty Pounds per Annum, may invest the Funds of such Society after the passing of this Act, not only in the Manner and upon the Securities mentioned in the Twelfth Section of an Act passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of Her present Majesty, but also upon the Security of any Rates, Tolls, Duties, Assessments, Bonds, Debentures, or other Securities of any Body or Company incorporated by Act of Parliament or Charter which such Body or

 Company

Company is authorized by such Act or Charter to raise, levy, or mortgage, or on the Security of any Policy or Policies of Assurance effected upon a Life or Lives of adequate Value.

Societies availing themselves of this Act not to invest any further Portions of their Funds with the Commissioners for the Reduction of the National Debt

II. If any such Society shall invest any Portion of its Funds which may now by Law be invested with the Commissioners for the Reduction of the National Debt in any of the Securities enumerated in this Act, it shall not be lawful for such Society to invest thereafter any further Portion of the Funds of such Society with the said Commissioners.

Societies not already having an Account with the said Commissioners, after passing of Act not to invest Funds with said Commissioners

III. No such Friendly Society which previously to the passing of this Act has not opened an Account with the Commissioners for the Reduction of the National Debt shall be allowed, after the passing of this Act, to invest its Funds or any Part thereof with the said Commissioners.

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Powers of Appointment of Commissioners &c. under 14 & 15 Vict. c. 53. continued for One Year.

Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: The Powers of appointing Commissioners and other Officers limited to continue as aforesaid by the said Act of the Fourteenth and Fifteenth Years of Her Majesty shall be further continued until the First Day of *August* One thousand eight hundred and fifty-four, and thenceforth until the End of the then next Session of Parliament, and the Period limited for the holding of Office under the said Act shall in like Manner be extended until the said First Day of *August* One thousand eight hundred and fifty-four, and thenceforth until the End of the then next Session of Parliament.

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Metropolitan Sewers Acts Continuance.

Power to borrow.

II. And whereas by the said first-recited Act it is enacted, that it shall be lawful for the Commissioners, for the Purpose of defraying any Expenses incurred or to be incurred by them in the Execution of the said Act, to borrow and take up at Interest, on the Credit of all or any of the Rates authorized to be made or collected under the said Act, any Sums of Money necessary for defraying such Expenses, and for the Purpose of securing the Repayment of any Sums so borrowed, together with such Interest as therein-before mentioned, the Commissioners may mortgage and assign over to the Persons by or on behalf of whom such Sums shall be advanced, the respective Rates upon the Credit of which such Sums shall be borrowed; and by the said secondly-recited Act the said Commissioners may, for raising Money for the Purposes of the said Acts, grant Annuities for Lives or Years, to be paid out of the said Rates: And whereas the Commissioners have, in pursuance of the Powers vested in them by and under the said herein-before recited Acts, borrowed, on the Security of the said Rates, Sums amounting in the whole to the Sum of Thirty-eight thousand eight hundred Pounds, which Sums have been appropriated for the Purposes of the said Acts, and are still due and owing; and there is now due and owing by the said Commissioners, in respect of certain Securities made and entered into before the issuing of the First Commission under the said first-recited Act, the Sum of Sixty thousand eight hundred and thirteen Pounds One Shilling and Fourpence, making together the Sum of Ninety-nine thousand six hundred and thirteen Pounds One Shilling and Fourpence: And whereas it is expedient that the Amount of the Money borrowed, raised, and taken up, and to be borrowed, raised, and taken up on the Security of the Rates by the said recited Acts and this Act authorized to be made, and of the Money so due and owing in respect of the said Securities, should be limited: Be it therefore enacted, That the Sum of Three hundred thousand Pounds, including therein the said Sum of Ninety-nine thousand six hundred and thirteen Pounds One Shilling and Fourpence so due and owing by the said Commissioners as aforesaid, shall be the Limit and Extent of the Debt due and owing on the Security of the said Rates at any One and the same Period of Time: Provided always, that in case the whole or any Part of the said Debt shall at any Time be called in or required to be paid off and discharged, it shall be lawful for the said Commissioners from Time to Time to borrow and take up, on the Security of the said Rates, any Sum or Sums in lieu of so much of the said Debt as shall have been so called in or required to be paid off and discharged; but so that, after Payment or Satisfaction of the Money so called in or required to be paid off and discharged, the said Limit of Three hundred thousand Pounds shall not be exceeded; and in estimating the Amount of Money at any Time due and owing upon the Security of the said Rates, the Amount due

due in respect of every Annuity granted by the said Commissioners, and then subsisting, shall be reckoned at the just Value of such Annuity, according to the Number of Years then remaining unexpired of the Term for which, or (as the Case may be), the increased Age of the Person upon whose Life the same shall have been granted.

III. No Person lending Money to the Commissioners shall be bound to see or obliged to inquire whether the Money so lent is required for the Purposes of the said recited Acts or this Act, nor to see to the Application of the Money so lent, but the Order of the Commissioners for borrowing such Money, and the Entry upon the Register of the Mortgage or Annuity which shall or may have been granted for securing the Payment thereof, shall be binding and conclusive upon all Parties. Persons lending Money.

IV. Notwithstanding any Act shall not pass for the Renewal or Continuance of the said Acts, and this Act, or in case a Commission or Commissions of Sewers for the Limits aforesaid shall not be issued, all Mortgages and Annuities which shall or may have been granted under the Authority of the said Acts or this Act, and which shall for the Time being be existing and unredeemed, shall be and continue valid and in full force, and shall be and continue charged on the Districts upon which the same were originally charged; and the Justices of the Peace for the several Counties of *Middlesex*, *Surrey*, *Kent*, and *Essex*, in Quarter Sessions assembled, shall, as to the Parts within the Limits of the Commission or Commissions aforesaid subject to their respective Jurisdictions, make, collect, demand, and levy, and exercise all and every the Powers and Authorities for and with reference to the making, demanding, collecting, and levying all and every such Rate and Rates, for the Payment of the Principal Money borrowed under the Authority of the said Acts and this Act, and Interest thereof, and the borrowing of Money to pay off Mortgages and Annuities, as the said Commissioners might or could do or have done in case such Commission were then in existence and the said recited Acts had been renewed or continued. Securities to continue valid.

V. Provided always, That this Act shall not be taken to abridge the Continuance of so much of the said Act of the Twelfth and Thirteenth Years of Her Majesty as will not expire on or before the said Seventh Day of *August* One thousand eight hundred and fifty-three. Saving as to certain Provisions of 12 & 13 Vict. c. 93.

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reason of which no such Election has or could legally have taken place: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Persons to conduct First Election of the Local Board of Health for Elland.

I. The Reverend *Edward Sandford* of *Elland* shall be substituted for *David Meredith*, Clerk, and *Charles Musgrave Norris* Esquire, of *Elland* aforesaid, for *George Bayldon Baker*, to conduct the First Election of the Local Board for the District of *Elland*, and to perform all Duties appertaining thereto, under the Public Health Act, and the Day of such First Election shall be the Thirty-first Day of *August* One thousand eight hundred and fifty-three, anything in the "Public Health Supplemental Act, 1853 (No. 1.)" contained to the contrary notwithstanding; and the Provisional Order applying the said Public Health Act to the said District shall be construed as if the Names of the said *Edward Sandford* and *Charles Musgrave Norris* stood in the Place of those of the said *David Meredith* and the said *George Bayldon Baker* respectively, in the Provisional Order hereinbefore recited.

Certain Provisional Orders of the General Board of Health confirmed.

II. The Provisional Orders of the General Board of Health contained in the Schedule to this Act annexed shall from and after the passing of this Act, so far as they are authorized by the Public Health Act, (except as to the Words in the Section, Number 2, in the Provisional Order in the said Schedule applying the Public Health Act, 1848, to the District of *Bangor*, "That from and after "the Day appointed by the Act of Parliament confirming this "present Order for the First Election of the Local Board of Health "for the District hereby constituted," which Words shall be omitted from the said Order,) be absolute and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

First Election of Local Board for Accrington.

III. The First Election of the Local Board of Health for the District of *Accrington* in the County of *Lancaster*, for the Purposes of the said Public Health Act, shall take place on the Thirty-first Day of *August* One thousand eight hundred and fifty-three.

First Election of Local Board for Uxbridge.

IV. The First Election of the Local Board of Health for the District of *Uxbridge* in the County of *Middlesex*, as constituted by the Provisional Order contained in the Schedule hereunto annexed, for the Purposes of the said Public Health Act, shall take place on the

the Thirty-first Day of *August* One thousand eight hundred and fifty-three.

V. This Act shall be deemed to be incorporated with the Public Health Act, and shall be as if this Act and the Public Health Act were One Act.

Act incorporated with Public Health Act

VI. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Public Health Supplemental Act, 1853 (No. 2.)"

Short Title of Act.

SCHE-

SCHEDULE.

ACCRINGTON.

Provisional Order for the Application of the Public Health Act to the District of Accrington in the County of Lancaster.

GENERAL BOARD OF HEALTH.

WHEREAS, upon the petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the Townships of Old and New Accrington in the County of Lancaster, (the number of such petitioners greatly exceeding thirty in the whole,) the General Board of Health, appointed for the purposes of the Public Health Act, 1848, have, in pursuance of the provisions of that Act, directed Benjamin Herschell Babbage, a Superintending Inspector, appointed for the purposes of the same Act, to visit the said Townships, and to make public inquiry, and to examine witnesses, as to the sewerage, drainage, and supply of water, the state of the burial-grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said Townships for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Townships, or having relation to the purposes of the said Public Health Act, also as to the natural drainage areas, and the existing municipal, parochial, or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the Act:

And whereas the said Superintending Inspector, having previously given notices directed by the said Act, proceeded upon the said inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the said several matters with respect to which he was directed to inquire, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of that Act:

And whereas copies of the said Report, accompanied by a notice stating that within the time directed by the said Act written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed, and all such statements as have been received by the said Board have been duly deposited as required by that Act:

And whereas it having appeared to the said General Board that the Townships of Old and New Accrington might advantageously be included in one district, the said Board caused William Ranger, a Superintending Inspector, appointed for the purposes of the aforesaid Act, to visit the parts within the boundaries so proposed to be adopted for the purposes of the said Act, and to make further inquiry and report thereon according to the provisions of that Act:

And whereas the said last-mentioned Superintending Inspector, after having given such notice as is required by the said Act, did hear all persons desirous of being heard before him on the subject of the said Report, and did make further inquiry and report according to the directions of the said Board:

And

General Board of Health (No. 3.)

And whereas copies of such further Report, accompanied by a notice stating that within the time directed by the said Act written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said further Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed, and all such statements as have been required by the said Board have been duly deposited as required by that Act:

And whereas it appears to the said General Board to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to a district comprising the Townships of Old and New Accrington, such Townships being the parts within and with respect to which the said inquiry and further inquiry have been made:

Now, therefore, in pursuance of the powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order, under our hands and seal, order and direct:—

1.—That from and after the day fixed for the first election and selection of the Local Board of Health by any Act of Parliament confirming this present Order, the Public Health Act, and every part thereof, except the section numbered 50 in the copies of that Act printed by Her Majesty's Printers, shall apply to and be in force within and throughout the entire area, places, and parts of places comprised within the said Townships of Old and New Accrington in the County of Lancaster, and such area, places, and parts of places shall be and constitute a district, for the purposes of the said Public Health Act accordingly.

2.—That the Local Board of Health, to be elected under the said Public Health Act, shall consist of eighteen persons, the whole of whom shall be elected for the whole of the said district.

3.—That one third of the said members shall go out of office on the 1st day of September in each year subsequently to that in which the first election of the said Local Board shall take place.

4.—That every person shall, at the time of his election as member of the said Local Board, and so long as he shall continue in office by virtue of such election, be resident as in the Public Health Act, 1848, is required, and be seised and possessed of real or personal estate, or both, to the value or amount of not less than five hundred pounds, or shall be so resident and rated to the relief of the poor of some parish, township, or place of which some part is within the said district, upon the net annual value of not less than fifteen pounds.

5.—That at the first election of members of the said Local Board, Robert Hargreaves of Bank House, Accrington, shall have the powers and perform the duties vested in or imposed upon the chairman of the Local Board of Health by the Public Health Act, 1848, in relation to any election by owners of property and ratepayers, and shall perform all other duties which it may be requisite for him to perform in conducting and completing the said first election; and in case the said Robert Hargreaves, from illness or other sufficient cause, shall be unable to exercise or discharge such powers or duties, or shall be absent, or shall refuse to act, then James Grimshaw, Plantation Mills, Accrington, shall exercise and perform such of the said powers and duties as then remain to be exercised or performed.

6.—That the fourteen days' notice of qualification required by the Public Health Act, 1848, to be given by owners of property in order to entitle him to vote at the said first election shall be given to the said Robert Hargreaves at the Court House, or in case he shall refuse or be unable to receive the same, then to the said James Grimshaw, at the Court House.

Given under our Hands and under the Seal of the General Board of Health, this Twenty-third day of June, in the year of our Lord One thousand eight hundred and fifty-three.

(Signed) SHAFTESBURY.

(L. S.) EDWIN CHADWICK.

BANGOR.

Provisional Order for altering the Boundaries of the District of Bangor in the County of Carnarvon, as constituted for the Purposes of the Public Health Act, 1848.

GENERAL BOARD OF HEALTH.

WHEREAS by Order of Her Majesty, by and with the advice of Her Privy Council, bearing date the 14th day of August 1850, and made under the provisions of the Public Health Act, 1848, the said Public Health Act has been duly applied to the Parliamentary Borough of Bangor in the County of Carnarvon, and within the boundaries of the same Borough, as fixed for the purposes of an Act passed in the second and third years of the reign of King William the Fourth, intituled "An Act to settle and describe the Divisions of Counties and the Limits of Cities and Boroughs in England and Wales, in so far as respects the Election of Members to serve in Parliament:"

And whereas it appears to the General Board of Health appointed for the purposes of the said Act, that the boundaries of the said District, as determined by the said Order, should be altered and amended in the manner prescribed by the said Act:

And whereas the said General Board have, in pursuance of the provisions of the said Act, directed Thomas Webster Rammell, a Superintending Inspector appointed for the purposes of the said Act, to visit the said District, and to make public inquiry, and to examine witnesses as to the boundaries not being the boundaries of the said Borough so fixed as aforesaid, which might most advantageously be adopted for the purposes of the said Act:

And whereas the said Superintending Inspector, having previously given the notices directed by the said Public Health Act, proceeded upon the said further inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the said matter with respect to which he was directed to inquire:

And whereas copies of the Report on such further inquiry, accompanied by a notice stating that written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the time for forwarding such statements has now elapsed, and all such statements as have been received by the said Board have been duly deposited as required by that Act:

And

General Board of Health (No. 3.)

And whereas the alteration of the boundaries of the said District cannot be effected without the authority of Parliament:

Now therefore, in pursuance of the power vested in the said General Board of Health by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under our hands and seal of office, order and direct as follows; that is to say:—

That from and after the passing of any Act of Parliament confirming this present Order—

1.—The boundary of the said District for the purposes of the said Public Health Act shall be the boundary described in the Schedule to this Order, and marked by the dotted lines referred to as the "Existing Boundary of Borough," and "Proposed Extended Boundary" in the plan appended to and forming part of the Report of the said Superintending Inspector on such further inquiry as aforesaid.

2.—That from and after the day appointed by the Act of Parliament confirming this present Order for the first election of the Local Board of Health for the District hereby constituted, the Public Health Act, 1848, and every part thereof, except the section numbered 50 in the copies of that Act printed by Her Majesty's Printers, shall apply to and be in force within and throughout the entire area comprised within the boundary aforesaid; and that the parts within the said boundary shall be and constitute a District for the purposes of the said Public Health Act accordingly, under the name of the "Bangor District."

3.—The present Local Board of Health for the time being for the District of Bangor, as originally constituted by the herein-before recited Order in Council, shall, from and after the passing of the Act of Parliament confirming this Order, be the Local Board of Health for the District constituted by this Order and the Act of Parliament confirming the same.

4.—At every election of members of the said Local Board which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District constituted by this Order, and by the votes of owners of and ratepayers in respect of property situate within the said District; and any person residing in the said District, or within seven miles thereof, may be elected a member of the said Local Board: but the number and qualification of such members, and the day of such election, shall remain as fixed by the herein-before recited Order in Council, bearing date the 14th day of August 1850.

Given under our Hands and under the Seal of the General Board of Health, this Fourteenth day of June, in the year of our Lord One thousand eight hundred and fifty-three.

(Signed) SHAFTESBURY.
(L. S.) EDWIN CHADWICK.
T. SOUTHWOOD SMITH.

Schedule to which this Order refers.

The boundary of the District of the Local Board of Health of Bangor, constituted by the preceding Order, commences at the extreme north-western point of the present district, being on the sea-shore at or near low-water mark, and thence the line runs westward along the sea-shore as far as the Old Bangor Ferry-

Ferry-road; thence in a south-eastern direction along the left-hand side of that road, as far as Penychwintan; thence along the left-hand side of the road, passing by the Glanadda brewery to the junction of that road with the turnpike-road leading from Bangor to Carnarvon; thence across such turnpike-road, and along the left-hand side of the road leading to Pentir, as far as the cross road at Minffordd; thence along the left-hand side of such cross road to the road leading from Bangor to Glasynfryn; thence southward along the left-hand side of that road as far as the nearest road leading down to the river Cegin; thence along the left-hand side of that road, and across the river Cegin; thence northward, along the right bank of the river Cegin, as far as the intersection by that river of the present boundary; and thence towards the sea-shore along the present boundary to the first-mentioned point.

UXBRIDGE.

Provisional Order for altering the Boundaries of the District of Uxbridge in the County of Middlesex, as constituted for the Purposes of the Public Health Act, 1848.

General Board of Health.

Whereas by a Provisional Order of the General Board of Health, bearing date the 23d day of July 1849, made under the provisions of the Public Health Act, 1848, and confirmed by the Public Health Supplemental Act, 1849, the said Public Health Act has been duly applied to the District of Uxbridge in the County of Middlesex:

And whereas it appears to the General Board of Health appointed for the purposes of the said Act, that the boundaries of the said District, as determined by the said Order, should be altered and amended in the manner prescribed by the said Act:

And whereas the said General Board have, in pursuance of the provisions of the said Act, directed William Ranger, a Superintending Inspector appointed for the purposes of the said Act, to visit the said District, and to make further public inquiry, and to examine witnesses, as to the altered boundaries which might most advantageously be adopted for the purposes of the said Act:

And whereas the said Superintending Inspector, having previously given the notices directed by the said Act, proceeded upon the said further inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the said matter with respect to which he was directed to inquire:

And whereas copies of the Report on such further inquiry, accompanied by a notice stating that written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the time for forwarding such statements has now elapsed, and all such statements as have been received by the said Board have been duly deposited as required by that Act:

And whereas it appears to the said General Board to be expedient that the boundaries of the said District should be altered, as recommended by the said

said Superintending Inspector, but the same cannot be done without the authority of Parliament:

Now therefore, in pursuance of the power vested in the said General Board of Health by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under our hands and seal of office, order and direct as follows; that is to say:—

That from and after the passing of any Act of Parliament confirming this present Order—

1.—The boundary of the said District for the purposes of the said Public Health Act shall be the boundary described in the Schedule to this Order.

2.—That from and after the day appointed by the Act of Parliament confirming this present Order for the first election of the Local Board of Health for the District hereby constituted, the Public Health Act, 1848, and every part thereof, except the section numbered 50 in the copies of that Act printed by Her Majesty's Printers, shall apply to and be in force within and throughout the entire area comprised within the boundary aforesaid; and that the parts within the said boundary shall be and constitute a district for the purposes of the said Public Health Act accordingly, under the name of the "Uxbridge District;" and the firstly herein-before mentioned Provisional Order shall be and the same is hereby declared to be void and of none effect, except as to the re-enactment of any part of any Local Act repealed by such Order, but that for purposes of such repeal the said Order shall continue effectual.

3.—That from and after the day fixed for the first election of a Local Board of Health for the District hereby constituted by any Act of Parliament confirming this Order, the existing Local Board of Health for the District of Uxbridge, as constituted by the firstly herein-before mentioned Provisional Order, shall be dissolved, and the powers, authorities, and duties of the members of the said Board shall wholly cease and determine; and those of their treasurer, clerk, surveyor, inspector of nuisances, collector, or other officers shall cease and determine from any time appointed by the Local Board to be elected under this Order and the Act of Parliament confirming the same.

4.—That the Local Board of Health for the District to be constituted by this Order, and the Act of Parliament confirming the same, shall consist of eighteen persons, to be elected for the whole of the said District by the owners of and ratepayers in respect of property within the said District.

5.—That every one of the eighteen persons so to be elected as last aforesaid shall at the time of such election, and so long as he shall continue in office by virtue of such election, be resident as in the Public Health Act is required, and be seised or possessed of real or personal estate, or both, to the value or amount of not less than five hundred pounds, or shall be so resident and rated to the relief of the poor of some parish, township, or place, of which some part is within the said District, upon an annual value of not less than thirty pounds.

6.—That one third of the members of the said Local Board shall go out of office on the day after the expiration of a year from the day fixed by

the Act of Parliament confirming this Order for the first election of a Local Board for the District hereby constituted, and so on yearly; but in case the day so appointed shall fall on a Sunday, or on a day appointed for public fast or thanksgiving, then such one third shall go out of office on the day next following.

7.—That at the first election of the members of the said Local Board Thomas Hurry Riches of Uxbridge shall have the powers and perform the duties vested in or imposed upon the chairman of the Local Board of Health by the said Public Health Act, in relation to the election by owners of property and ratepayers, and shall perform all other duties which it may be requisite for him to perform in conducting and completing the said first election; and in case the said Thomas Hurry Riches, from illness or other sufficient cause, shall be unable to exercise or discharge such powers or duties, or shall be absent, or shall refuse to act, then Charles Woodbridge of Uxbridge shall exercise and perform such of the said powers and duties as then remain to be exercised or performed.

8.—That the fourteen days' notice of qualification required by the Public Health Act, 1848, to be given by owners of property in order to entitle them to vote at the said first election, shall be given to the said Thomas Hurry Riches, at the office of the present Local Board of Health at Uxbridge; or in case he shall refuse or be unable to receive the same, then to the said Charles Woodbridge at the same place.

9.—That from and after the day fixed for the first election of a Local Board for the District hereby constituted by the Act of Parliament confirming this Order, all lands, buildings, works, rates, tolls, duties, and hereditaments, utensils, materials, books, plans, maps, deeds, effects, contracts, papers, monies, and securities for money, and all other property and estate whatsoever, belonging to or vested in the Local Board of Health elected under the firstly herein-before mentioned Provisional Order, shall be transferred to, vested in, belong to, and be recovered by the Local Board of Health to be elected under this order and the Act of Parliament confirming the same, as fully as the same would or could have belonged to, been vested in, or recovered by the firstly herein-before mentioned Local Board of Health, and shall, as near as circumstances will permit, be held by the Local Board of Health to be elected under this Order and the Act of Parliament confirming the same, upon the same trusts, and for the same uses, intents, and purposes as the same were or would be held by the said firstly herein-before mentioned Local Board.

10.—That from and after the passing of any Act of Parliament confirming this Order, all bonds, mortgages, annuities, contracts, debts, monies, and securities for money, made, given, contracted, or payable by the Local Board of Health elected under the firstly herein-before mentioned Provisional Order, shall be paid and satisfied by the Local Board to be elected under this Order and the Act of Parliament confirming the same, out of such parts of the said transferred property and estate as would or ought to have been charged or chargeable in respect of the same, if this Order had not been made; and shall, as near as circumstances will permit, have the same priority, and be paid and satisfied within

within the same times, and be recovered from the said last-mentioned Local Board as the same might have been recovered from the firstly herein-before mentioned Local Board.

11.—Provided always, That this Order shall not annul, defeat, lessen, or otherwise prejudicially affect any rate, assessment, imposition, composition, charge, purchase, sale, conveyance, grant, demise, lease, mortgage, annuity, assignment, bond, contract, covenant, agreement, security, matter, or thing whatsoever before the passing of any Act of Parliament confirming this Order made, entered into, or done under or by virtue or in pursuance of the firstly herein-before mentioned Provisional Order, or with reference to the purposes of the same; but, notwithstanding this Order, all such acts, deeds, matters, and things, shall be as good, valid, and effectual, to all intents and purposes whatsoever, for, against, and with reference to the Local Board of Health to be elected under this Order and the Act of Parliament confirming the same, as if the same had been made, entered into, or done by, to, or with reference to that Board instead of the members of the Local Board elected under the firstly herein-before mentioned Provisional Order, and may be proceeded on and enforced in the same manner in all respects as if the Local Board to be elected under this Order and the Act of Parliament confirming the same, instead of the Local Board elected under the firstly herein-before mentioned Provisional Order, had been party or privy to the same, and had been named or referred to therein.

Given under our Hands and under the Seal of the General Board of Health, this Fourteenth day of June, in the year of our Lord One thousand eight hundred and fifty-three.

(Signed) SHAFTESBURY.
(L.S.) EDWIN CHADWICK.
T. SOUTHWOOD SMITH.

Schedule to which this Order refers.

The said District is bounded by the following parcels or pieces of ground, lands, tenements, and hereditaments, numbered in the Hillingdon Inclosure Award Map by the numbers here following their respective names, but so as not to include within it any portion of the said parcels or pieces of ground, lands, tenements, and hereditaments; that is to say, commencing at the extreme north-easterly point,—

The District is bounded—

	Section of Plan.	No. on Plan.
On the north by allotment on Uxbridge Common -	A	44
On the north by allotment on Uxbridge Common -	—	3
On the north-west by Mercers Meadow - - -	—	38
On the north-west and west by Parish of Denham, Bucks.		
On the west by Iver Parish, Bucks.		
On the south by the Iver Road - - - -	F	108
On the east by Mr. Fountain's Orchard - -	—	1,330
On the east by the Fox Orchard - - -	—	1,328

On

	Section of Plan.	No. on Plan.
On the east by Mr. Hardy's Orchard	—	1,325
On the east by Cowley Parish.		
On the south by Cowley Parish.		
On the west by Cowley Parish.		
On the south by Mr. Hilliard's Meadow	—	1,292
On the south by Cowley Parish, till the dividing line meets the Cowley Brook, near Stratford Bridge.		
On the east by Stratford Green Meadow	E	1,118
On the south-east by Stratford Green	—	1,117
On the south-east by Brook Plantation	B	545
On the south-east by Patch Close	—	546
On the east by part of High Seats	—	550
On the east by High Seats	—	572
On the east by Buffalo Close	—	573
On the east by the Paddock	—	577
On the east by Rickyard Meadow	—	582
On the east by Brookfield	—	594
On the east by Brookfield allotment	—	595
On the north by the Eighty Acres	—	508
On the north by the late Miss Horne's field	—	507
On the east by the late Miss Horne's field	—	507
On the east by the Eighty Acres	—	508
On the north by Pale Well Field	—	497
On the east by Pale Well Field	—	497
On the east by allotment on Uxbridge Common	—	496
On the east by allotment on Uxbridge Common	—	495
On the east by Belmont Pond	—	494
On the east by allotment on Uxbridge Common	—	492
On the east by allotment on Uxbridge Common	—	491

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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Distance of Five Miles from the General Post Office in the City of *London* the Duty of Five Pounds, and for and in respect of every such Licence as aforesaid weekly and every Week during the Continuance thereof the Sum of Ten Shillings, shall respectively cease and determine, and shall be and the same are hereby repealed; save and except as to any of the said Duties which shall have been charged or incurred on or before the said respective Times, and any Arrear thereof, and as to all Fines and Penalties incurred or which may be incurred in respect of the said Duties or Arrears or in relation thereto; all which said Duties and Arrears, Fines and Penalties, so excepted as aforesaid, shall respectively be sued for and recovered, levied, paid, and applied in the same Manner as if this Act had not been passed.

Grant of new Duties on Hackney Carriages in lieu of Duties repealed.

II. In lieu of the said Duties hereby repealed there shall be granted, raised, levied, collected, and paid, from and after the respective Times herein-after appointed in that Behalf, unto and for the Use of Her Majesty, Her Heirs and Successors, for and in respect of every Hackney Carriage which shall be kept, used, or let to hire within the Limits of this Act as herein-after defined the several Duties following; (that is to say,)

	£	s.	d.
For and upon every Licence to be taken out yearly to keep, use, and let to hire any such Hackney Carriage - - - - -	1	0	0
And for and in respect of every such Hackney Carriage as aforesaid, weekly and every Week, where the Licence for such Carriage shall authorize the using and letting to hire of the same on every Day of the Week, the Sum of - - - - (Weekly Duty.)	0	7	0
And where such Licence shall authorize the using and letting to hire of such Carriage on every Day of the Week except *Sunday*, the Sum of - -	0	6	0

Commencement of Repeal and Grant of Duties.

III. The Repeal of the said several existing Duties, and the Grant in lieu thereof of the said several new Duties by this Act, shall respectively commence and take effect from and after the respective Times following; (that is to say,) as to the said several weekly Duties payable in respect of every such Hackney Carriage as aforesaid from and after the Tenth Day of *July* One thousand eight hundred and fifty-three, and as to the said Duty for and upon every such Licence as aforesaid from and after the passing of this Act.

Duties granted to be Duties of

IV. The said Duties by this Act granted shall be denominated and deemed to be Duties of Excise, and shall be under the Care and Manage-

Management of the Commissioners of Inland Revenue for the Time being; and all Powers, Provisions, Clauses, Regulations, and Directions, Fines, Forfeitures, and Penalties contained in or enacted by any Act or Acts in force for levying, collecting, and securing the said Duties hereby repealed or any other Duties of Excise, or otherwise in relation thereto in all Cases not herein expressly provided for, and so far as the same are not superseded or expressly repealed by and are consistent with the express Provisions of this Act, shall be duly observed, applied, practised, and put in execution for the granting of Licences under this Act, and for charging, raising, levying, collecting, and securing the said Duties hereby granted, and otherwise relating thereto, as fully and effectually to all Intents and Purposes as if the same Powers, Provisions, Clauses, Regulations, Directions, Fines, Forfeitures, and Penalties were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties hereby granted.

Excise under the Care of the Commissioners of Inland Revenue.

V. From and after the Tenth Day of *October* One thousand eight hundred and fifty-three every Licence granted and in force under the said Act of the First and Second Years of King *William* the Fourth, Chapter Twenty-two, or any subsequent Act or Acts amending or altering the same, to keep, use, employ, and let to hire any Hackney Carriage at any Place within the Distance of Five Miles from the General Post Office in the City of *London*, shall cease and determine; and no Hackney Carriage shall be kept, used, employed, or let to hire at any Place within the said Distance or within the Limits of this Act without a Licence authorizing the same granted under this Act.

Licences granted under 1 & 2 W. 4. c. 22. to cease, and Hackney Carriages to be licensed under this Act.

VI. Provided always, That every Person who shall be possessed of any Licence or Licences granted to him to keep, use, or let to hire any Hackney Carriage within the Distance of Five Miles from the General Post Office in the City of *London*, and in force at the Time of the passing of this Act, shall be entitled, upon Production of the proper Certificate or Certificates required by Law in that Behalf, to have the same or any less Number of new Licences granted to him under this Act without Payment of the Duty by this Act imposed on every such Licence, provided he shall produce and deliver up to the proper Officers of Excise authorized to grant Licences under this Act the said Licence or Licences of which he shall be so possessed, together with the numbered Plate or Plates appertaining thereto, and shall apply for such new Licence or Licences within the Period of One Calendar Month next after the Tenth Day of *October* One thousand eight hundred and fifty-three, and such Person shall also be entitled, upon Production of such Certificate or Certificates as aforesaid, to have such Licence

Persons possessed of Licences in force to keep Hackney Carriages to have new Licences granted to them in exchange.

Licence or Licences renewed under this Act without Payment of the said Duty imposed thereon until the First *Monday* in the Month of *January* One thousand eight hundred and fifty-seven.

Commencement and Termination of Licences.

VII. Every Licence which shall be granted under this Act to keep, use, and let to hire any Hackney Carriage shall have effect and continue in force from the Day of the Date thereof until the Day herein-after appointed for the Expiration thereof; and every such Licence which shall be granted before the Second Day of *January* One thousand eight hundred and fifty-four, shall expire on the First Day of *January* One thousand eight hundred and fifty-four; and every such Licence which shall be granted upon or at any Time after the said Second Day of *January* One thousand eight hundred and fifty-four shall expire on the First *Sunday* in the Month of *January* in the Year next following that in which such Licence shall be granted; and every such Licence shall be renewed from Year to Year on Payment of the Duty by this Act chargeable thereon.

A proportionate Part only of the yearly Duty to be charged on Licences taken out before 2d Jan. 1854.

VIII. Provided always, That for and upon every such Licence as aforesaid which shall be taken out after the passing of this Act, and before the Second Day of *January* One thousand eight hundred and fifty-four, there shall be charged and paid in respect of the Portion of a Year for which the same will be granted One Fourth Part only of the annual Duty by this Act charged on a yearly Licence.

Renewal of Licences.

IX. Every Person who shall be desirous of renewing any such Licence shall give Notice in Writing Twenty-one Days at least before the Expiration of the current Licence to him granted of his Intention to renew the same to the proper Collector, Supervisor, or other Officer authorized to grant such Licences; and where such Notice shall have been given the new Licence shall bear Date on the Day next after the Day of the Expiration of the former Licence, but if such Notice shall not have been given the Licence shall bear Date on the Day of the Application for the same.

Numbered Plate to be delivered up on Expiration of Licences, or in default Duty to continue payable.

X. Provided always, That whenever any Licence granted under this Act shall cease or expire or be discontinued, the Person to whom such Licence shall have been granted shall, within Three Days next after the Expiration or Discontinuance thereof, deliver up to the Commissioners of Inland Revenue, or to the proper Officers or One of them, by whom such Licence was granted, the numbered Plate mentioned in such Licence, or in default thereof such Person shall continue to be subject and liable to the Payment of the weekly Duty chargeable under this Act in respect of the Hackney Carriage mentioned

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mentioned in such Licence; and such Person shall be charged with the said Duty accordingly to the Time of delivering up the said Plate; and such Duty shall be recoverable by the same Ways and Means as if such Licence had continued in force.

Numbered Plates on Hackney Carriages not licensed to be used on Sundays to be distinguished from those on Carriages licensed to be used on every Day of the Week.

XI. The numbered Plates to be provided by the Commissioners of Inland Revenue, and to be fixed on Hackney Carriages not authorized by Licence to be used or let to hire on *Sundays*, shall be distinguished in such Manner as the said Commissioners may think proper from the numbered Plates to be fixed on Hackney Carriages authorized by Licence to be used and let to hire on every Day of the Week; and if any Hackney Carriage which shall be authorized by Licence to be used or let to hire on every Day of the Week except *Sunday* shall be used or let to hire on any *Sunday*, or if any Hackney Carriage shall be used or let to hire on *Sunday* having fixed or placed thereon any such numbered Plate as aforesaid provided for any Hackney Carriage not authorized to be used or let to hire on *Sunday*, every such Hackney Carriage shall be deemed to be used and let to hire without a Licence in that Behalf; and the Owner of such Hackney Carriage, if there shall be no such Plate as aforesaid fixed or placed thereon, or the Person to whom such Plate (if any be fixed or placed thereon) shall have been delivered, with any Licence relating thereto, shall be deemed to be the Person using and letting to hire such Hackney Carriage without having a Licence in force so to do, and shall incur and be liable to the Penalty imposed by Law in that Behalf.

1 & 2 W. 4. c. 22. 2 & 3 W. 4. c. 120.

XII. And whereas, under and by virtue of the Laws in force, Licences for or in respect of Hackney Carriages and for or in respect of certain Stage Carriages are required to be granted at the Chief Office of Inland Revenue, and the Duties payable in respect of such Hackney Carriages and Stage Carriages respectively are required to be paid at the said Chief Office, and it is expedient to make other Provision in that Behalf:

Where Licences for Hackney Carriages and Metropolitan Stage Carriages are to be granted and the Duties paid.

It shall be lawful for the Commissioners of Inland Revenue, and they are hereby authorized and empowered, from Time to Time to order and direct that all or any of such Licences as aforesaid shall be granted, and that the Duties payable in respect of all or any of such Hackney Carriages and Stage Carriages as aforesaid respectively shall be paid, at such Place or Places within the Limits of this Act as the said Commissioners shall deem to be most proper and convenient for the Purpose, anything in any former Act or Acts contained to the contrary notwithstanding.

Hackney Carriage Duties.

1s. a Mile to be paid for every Mile beyond the Circumference of a Circle Four Miles from Charing Cross if Carriage be discharged beyond such Circumference.

XIII. It shall be lawful for the Driver of any Hackney Carriage within the Limits of this Act to charge One Shilling *per* Mile for every Mile (or Part of a Mile) which he shall be required to drive beyond the Circumference of a Circle the Radius of which shall be Four Miles from *Charing Cross*, provided such Carriage shall be discharged beyond such Circumference, anything contained in the Thirty-third Chapter of an Act of the Sixteenth and Seventeenth Year of the Reign of Her present Majesty, or in the Schedule thereto, notwithstanding.

Where more than Two Persons are conveyed in a Hackney Carriage drawn by One Horse, 6*d.* in addition to the Fare to be paid for each Person above Two for the whole Hiring.

XIV. Whenever more than Two Persons shall be conveyed by any Hackney Carriage drawn by One Horse only, a Sum of Sixpence for each Person above the Number of Two shall be paid for the whole Hiring in addition to the Fare now directed to be paid for Two Persons under the said Act of the Sixteenth and Seventeenth Year of the Reign of Her present Majesty, Chapter Thirty-three; and Two Children under Ten Years old shall be considered as One Adult Person for the Purposes of this Clause.

When Carriage hired by Time, 6*d.* to be paid for every Fifteen Minutes, or Portion thereof, over the Hour.

XV. When any Hackney Carriage within the Limits of this Act hired for a Fare to be paid according to Time shall be hired or used by the Hirer thereof for any longer Time than One Hour, Sixpence shall be paid for every Fifteen Minutes, or any Portion of Fifteen Minutes not completed, above One Hour.

Proprietors of Hackney Carriages withdrawing Carriages from Hire beyond a certain Time liable to a Penalty.

XVI. The Proprietor of every Hackney Carriage or Metropolitan Stage Carriage licensed to ply for Hire within the Limits of this Act who shall withdraw his Carriage from Hire for Two consecutive Days, or for any Two Days in One Week, without just Cause, of which the Magistrate before whom the Complaint is heard shall be the Judge, shall be liable to a Penalty of a Sum not exceeding Twenty Shillings in respect of every Carriage for each Day he shall so withdraw the same, and the Licence of such Proprietor shall be suspended or recalled and taken away at the Discretion of the said Commissioners of Police: Provided always, that it shall be lawful for such Proprietor, upon giving Ten Days Notice to the Commissioners of Police, to withdraw his Carriage from Hire.

"The Limits of this Act" defined.

XVII. The Limits of this Act shall be deemed to be and to include every Part of the Metropolitan Police District and the City of *London;* and all Provisions of any former Act in force referring to Hackney Carriages licensed under the said Act of the First and Second Years of His late Majesty, or to Hackney Carriages kept, used, employed, or let to hire within the Distance of Five Miles from

from the General Post Office in the City of *London*, or to any Act, Matter, or Thing committed or done in relation to such Hackney Carriages within the said Distance, shall from and after the passing of this Act be deemed to refer and apply to Hackney Carriages licensed under this Act, or to Hackney Carriages kept, used, employed, or let to hire within the Limits of this Act, and to any Act, Matter, or Thing committed or done in relation to Hackney Carriages within the said Limits.

None but Officers of Inland Revenue or of the Metropolitan Police to prosecute before Justices for Penalties.

XVIII. From and after the passing of this Act it shall not be lawful for any Person other than the Solicitor or some other Officer of Inland Revenue, or some Officer of the Metropolitan Police, to inform or prosecute before any Justice of the Peace for the Recovery of any Penalty imposed by or incurred under any Act or Acts now in force, or this Act, for or on account of the keeping, using, or letting to hire by any Person of any Hackney Carriage at any Place within the Limits of this Act without having a Licence in force so to do, or without having the proper numbered Plate properly placed and fixed upon such Hackney Carriage in the Manner required by Law.

LONDON:
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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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First Day of *August* One thousand eight hundred and fifty-four within the Metropolis use any such Furnace which shall not be constructed so as to consume or burn its own Smoke, or shall so negligently use any such Furnace as that the Smoke arising therefrom shall not be effectually consumed or burnt, or shall carry on any Trade or Business which shall occasion any noxious or offensive Effluvia, or otherwise annoy the Neighbourhood, or Inhabitants, without using the best practicable Means for preventing or counteracting such Smoke or other Annoyance, every Person so offending, being the Owner or Occupier of the Premises, or being a Foreman or other Person employed by such Owner or Occupier, shall, upon a summary Conviction for such Offence before any Justice or Justices, forfeit and pay a Sum not more than Five Pounds nor less than Forty Shillings, and upon a Second Conviction for such Offence the Sum of Ten Pounds, and for each subsequent Conviction a Sum double the Amount of the Penalty imposed for the last preceding Conviction: Provided always, that nothing in this Act shall extend or apply to any Glass Works or Pottery Works established and existing within the Metropolis before the passing of this Act, with the Exception however of all Steam Engine Furnaces and Slip Kiln Furnaces employed in and belonging to such Works respectively, to which Furnaces the Provisions of this Act shall extend and apply.

Steam Vessels on the Thames above London Bridge to consume their own Smoke.

II. From and after the First Day of *August* One thousand eight hundred and fifty-four every Steam Engine and Furnace used in the working of any Steam Vessel on the River *Thames* above *London Bridge* shall be constructed so as to consume the Smoke arising from such Engine and Furnace; and if after the said First Day of *August* One thousand eight hundred and fifty-four any Steam Engine or Furnace by which any Steam Vessel shall be worked while the same shall be above *London Bridge* shall not be constructed so as to consume or burn its own Smoke, or such Steam Engine or Furnace which shall be so constructed shall be wilfully or negligently used so that the Smoke arising therefrom shall not be effectually consumed or burnt, the Owner or Master or other Person having Charge of such Vessel shall, on a summary Conviction for such Offence before any Justice or Justices, forfeit and pay any Sum not greater than Five Pounds nor less than Forty Shillings, and upon a Second Conviction for such Offence a Sum of Ten Pounds, and upon every other subsequent Conviction for such Offence a Sum double the Amount of the Penalty imposed for the last preceding Conviction.

Penalty not to attach where only Fuel not

III. Provided always, That the Words "consume or burn the Smoke" shall not be held in all Cases to mean "consume or burn all the Smoke," and that the Justice or Justices before whom any Person shall

shall be summoned may remit the Penalties enacted by this Act if he or they shall be of opinion that such Person has so constructed or altered his Furnace as to consume or burn as far as possible all the Smoke arising from such Furnace, and has carefully attended to the same, and consumed or burned as far as possible the Smoke arising from such Furnace.

emitting Smoke is used.

IV. If the Owner or Occupier of any Premises or the Commander of any Steam Vessel to which the Provisions of this Act shall apply shall refuse to allow their Premises or Steam Vessel to be inspected by a Person duly authorized by the Commissioners of Police for that Purpose, it shall be lawful for any Constable authorized by Warrant under the Hand of One of Her Majesty's Principal Secretaries of State, or (in the Metropolitan Police District) by the Order in Writing of the Commissioners of Police of the Metropolis, or (in the City of *London* or Liberties thereof) by the Order in Writing of the Commissioner of Police of the said City and Liberties, with or without any Assistant to enter into and upon any Building or Premises in the Metropolis in which any Furnace may be, or in which such noxious Trade or Business may be carried on, or into any Steam Vessel on the River *Thames* between *London Bridge* and *Richmond Bridge*, and to examine into the Construction of such Furnace, into the Manner of carrying on such Trade or Business, or into the Construction of the Steam Engine and Furnace by which such Vessel shall be worked; and any Person obstructing any such Constable or his Assistant in the Execution of any such Warrant or Order shall, upon a summary Conviction for such Offence before any Justice or Justices, forfeit and pay any Sum not exceeding Twenty Pounds.

Constables may be empowered to enter and inspect Furnaces and Steam Engines

V. Provided always, That no Information shall be laid against any Person for the Recovery of any Penalty under this Act, except by the Authority of One of Her Majesty's Principal Secretaries of State, or in the Metropolitan Police District by the Commissioners of Police of the Metropolis, or in the City of *London* or Liberties thereof by the Commissioner of Police of the said City and Liberties respectively, acting under the Orders and Directions of such Secretary of State.

No Information to be laid except by Authority of Secretary of State or Commissioners of Police of Metropolis or City of London.

VI. In this Act the Expression "the Metropolis" shall have the same Meaning and Construction as is assigned to such Expression for the Purposes of the Act of the last Session of Parliament, Chapter Eighty-five, "to amend the Laws concerning the Burial of the Dead in the Metropolis."

Definition of Metropolis. 15 & 16 Vict. c. 85.

VII. Nothing

Not to affect 14 & 15 Vict. c. 75. or 16 & 17 Vict. c. cxli.

VII. Nothing in this Act shall be held to alter or repeal any of the Provisions of the City of *London* Sewers Act, 1851, or of the *Whitechapel* Improvement Act, 1853.

Penalties to be recoverable under 11 & 12 Vict. c. 43.

VIII. All Penalties by this Act imposed shall be recoverable according to the Provisions of the Act of the Twelfth Year of Her present Majesty, Chapter Forty-three.

LONDON:
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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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Union of Trinity House and Cinque Port Pilots.

sage from Dungeness Inwards as well as Outwards.

in respect of the Pilots to be licensed under the Authority therein contained, to license Pilots as well for the Purpose of conducting Vessels from or by *Dungeness* up the Rivers *Thames* and *Medway* to *London Bridge* and *Rochester Bridge*, and all the Channels, Creeks, and Docks of the same, and from the South Buoy of the *Brake* Westward as far as the West End of the *Owers*, as for the Purpose of conducting Vessels within the Limits and in the Manner within and in which Pilots may be licensed to act under the said Second Section of the said last-mentioned Act; and all the Provisions of the said Act and of any other Act now in force, and all Byelaws, Rules, Orders, or Ordinances, applicable to Pilots licensed under the said Section, shall be applicable to Pilots licensed under the Authority of this Act to the same Extent and in the same Manner as if such last-mentioned Authority had been contained in the said Section; and no Licences granted by any other Corporation, Body, or Persons to pilot any Vessels Inwards or Outwards within the Limits aforesaid shall be of any Force or Effect whatever: Provided always, that no such Licence shall be granted until Three Months after the Regulations herein-after provided to be made by the *Trinity House* shall have been published and sent to the Court of Loadmanage, and to the Society or Fellowship of Cinque Port Pilots.

Present Cinque Port Pilots to be competent to pilot Vessels either Inwards or Outwards within the Limits for which they are now licensed.

III. All Cinque Port Pilots duly licensed and authorized before this Act comes into operation to pilot any Vessels from *Dungeness* or the *Downs* up the Rivers *Thames* or *Medway* shall, notwithstanding the Repeal and Enactment herein-before contained, be authorized to pilot the like Vessels within the same Limits and in the same Manner within and in which they might have lawfully piloted the same before the passing of this Act according to the Terms of their existing Licences, and shall also by virtue of such existing Licences (without any Licence from the *Trinity House* in that Behalf) be authorized to pilot the like Vessels down the said Rivers *Thames* and *Medway*, or from those Rivers to the *Downs* or *Dungeness*, or from the West End of the *Owers* to the South Buoy of the *Brake*, within the Limits within which such existing Licences authorize them to act in piloting such Vessels from the *Downs* to the said Rivers, and up the same, or from the South Buoy of the *Brake* to the West End of the *Owers*; and it shall be lawful for the *Trinity House* by a supplemental Licence to authorize any such Cinque Port Pilot to pilot any Vessels in any Parts of the Rivers *Thames* and *Medway* or in any of the Seas or Channels leading to or from such Rivers to which his existing Licence may not extend, after Examination in respect of the further Limits within which he is to be so licensed to act, and upon the Payment of such Fee, if any, as the said *Trinity House* may, with the Consent of the Board of Trade, appoint for the Purpose; and such supplemental Licence shall be taken

to

to be Part of and to be held upon the same Conditions and subject to the same Regulations in all respects as such existing Licence.

Union of Trinity House and Cinque Port Pilots.

IV. The said Cinque Port Pilots who have been so licensed as aforesaid before this Act comes into operation shall be subject to all the Provisions of the said Act of the Sixth Year of King *George* the Fourth, Chapter One hundred and twenty-five, and of any other Act now in force, which relate to Pilots licensed by the *Trinity House* (except such of them as are contained in the Fourth Section of the said Act of the Sixth Year of King *George* the Fourth), and shall likewise be subject to the Government and Regulations of the *Trinity House*, and to all Byelaws, Rules, Orders, or Ordinances duly issued by it for the Purpose of insuring the good Conduct and constant Attendance of Pilots upon their Duty, and to such Penalties as may be duly annexed to the Breach of the said Regulations, Byelaws, Rules, Orders, or Ordinances, in the same Manner and to the same Extent in and to which Pilots licensed by the said *Trinity House* are subject thereto.

The above-mentioned Cinque Port Pilots to be subject to the same Rules, &c. as Trinity House Pilots.

V. All Pilots licensed before this Act comes into operation by the said *Trinity House* to pilot any Vessels upon the Rivers *Thames* and *Medway*, or from *London Bridge* to the *Downs*, or from the *Isle of Wight* to *London Bridge*, shall be authorized to pilot the like Vessels from or by *Dungeness* up the Rivers *Thames* and *Medway*, and from the South Buoy of the *Brake* to the Westward to the End of the *Owers*, or within such or so much of the same Limits as under their present Licences they might act within in piloting such Vessels down the said Rivers or Outwards or to the Westward: Provided always, that nothing herein contained shall be deemed to confer any Privilege of piloting above *Gravesend* and *Stangate Creek* respectively upon any Pilots by whatever Authority they may be licensed, except with the Concurrence of the *Trinity House* in the Case of each Pilot.

Present Trinity House Pilots may pilot Ships Inwards within the Limits of their Licences.

VI. A sufficient Number of duly qualified Pilots shall always be ready to take charge of Vessels coming from the Westward past *Dungeness*; and the *Trinity House* shall make such Regulations with respect to the Body of Pilots under its Control as may be necessary in order to provide for an unintermitted Supply of Pilots for such Vessels, and to insure their constant Attendance upon and due Performance of their Duty, both by Night and Day, whether by cruizing between the *South Foreland* and *Dungeness*, or by going off from Shore upon Signals made for the Purpose, or by both of such Means, or by any other Means, and whether in rotation or otherwise, as the said *Trinity House* may think fit; and if any Pilots affected by the said Regulations, or any Masters or Owners or Insurers of Ships, being not less than Six in Number, consider themselves aggrieved by such Regulations, or by any Defect or Omission therein, they may appeal to Her

Power to the Trinity House to make Regulations for a constant Supply of Pilots at Dungeness.

Union of Trinity House and Cinque Port Pilots.

Her Majesty in Council, and Her Majesty in Council may thereupon revoke or alter any of such Regulations, or may make Additions thereto, in such Manner as, having regard to the Object of this Enactment and to the Interests of the Persons concerned, may appear to be just and expedient, and every Order so made shall be conclusive in the Matter.

Vessels coming past Dungeness, not having a Pilot already on board, to take the first qualified Pilot who offers.

VII. Every Master or other Person in command of any Vessel coming from the Westward and bound to any Place in the Rivers *Thames* and *Medway* (unless she has a duly qualified Pilot on board or is exempted from compulsory Pilotage), shall, on the Arrival of such Vessel off *Dungeness*, and thenceforth until she has passed the South Buoy of the *Brake*, or a Line to be drawn from *Sandown Castle* to the said Buoy, or until a duly qualified Pilot has come on board, display and keep flying the usual Signal for a Pilot; and if any Pilot duly qualified for the Passage to be made by such Vessel is within Hail, or is approaching and within Half a Mile, and has the proper distinguishing Flag flying in his Boat, such Master or other Person as aforesaid shall, by heaving-to in proper Time or shortening Sail, or by any practicable Means consistent with the Safety of his Vessel, facilitate such Pilot getting on board, and shall give the Charge of piloting his Vessel to such Pilot; or if there are Two or more of such Pilots offering at the same Time, to such One of them as may according to the Regulations for the Time being in force be entitled or required to take such Charge; and if any such Master or other Person as aforesaid fails to display or keep flying the usual Signal for a Pilot in manner herein-before required, or to facilitate any such duly qualified Pilot as aforesaid getting on board as herein-before required, or to give the Charge of piloting his Vessel to such Pilot as herein-before mentioned in that Behalf, he shall forfeit double the Sum which might have been demanded for the Pilotage of his Vessel, such Sum to be paid to the *Trinity House*, and to be recoverable in the same Manner in which Forfeitures are recoverable under the said Act of the Sixth Year of the Reign of King *George* the Fourth.

Penalty on Masters failing to display the usual Signal for a Pilot.

Rates to be demanded for Duties hitherto performed by Cinque Port Pilots.

VIII. Until any such Alteration as herein-after provided for be made, the Rates and Prices to be demanded and received by all Pilots performing the Duties hitherto performed by Cinque Port Pilots shall be such Rates and Prices as have immediately before this Act comes into operation been lawfully demanded and received by such last-mentioned Pilots; and it shall be lawful for the said *Trinity House* to increase, reduce, alter, or modify all or any of the said Rates or Prices, or to substitute other Rates or Prices in lieu thereof, with the same Consent, in the same Manner, and subject to the same Conditions with, in, and subject to which the *Trinity House* is empowered to increase, reduce, alter, and modify the Rates and Prices

to

to be demanded and received by Pilots licensed by it, or to substitute other Rates and Prices in lieu of such last-mentioned Rates and Prices, but so that in no Case shall any higher Rate be imposed or demanded than might have been imposed or demanded if this Act had not passed.

Union of Trinity House and Cinque Port Pilots.

IX. All Rates and Prices which may be lawfully demanded or received by the said Cinque Port Pilots licensed before this Act comes into operation, or by any other Pilots licensed by or under the Government of the *Trinity House*, shall be recoverable in the same Manner in which Rates and Prices lawfully demanded or received by Pilots licensed by the *Trinity House* under the said Act of the Sixth Year of King *George* the Fourth are by that Act made recoverable; and all Rates or Prices which may be lawfully demanded or received by any Pilots under the Government of the said *Trinity House* for the Pilotage of Foreign Vessels, the Owners, Masters, Agents, or Consignees of which claim, by virtue of any Treaty of Reciprocity, to be entitled to the Privileges of *British* Vessels, shall be recoverable from the same Persons, in the same Manner, and subject to the same Conditions from whom and in and subject to which Pilotage Rates on *British* Vessels are recoverable under the Forty-fourth and Forty-fifth Sections of the said Act.

Existing Cinque Port Pilots to have same Remedies for the Recovery of Rates as Trinity House Pilots.

Rates on Foreign Vessels claiming Benefit of Reciprocity Treaties.

X. All Property of every kind, whether real or personal, which may belong to or be held by the Court of Loadmanage or the said Society of Cinque Port Pilots, or any Branch thereof, or any Officer of the said Society, or any other Person as Trustee for the said Society, or any Branch thereof, or which may be legally applicable for the Benefit of the said Society or of the Members thereof, or for any Purposes connected with Pilotage, (including a Piece of Land near *Dover* which was by Indentures of Lease and Release, dated respectively the Sixteenth and Seventeenth Days of *August* One thousand seven hundred and twenty-six, conveyed to Trustees therein named, upon certain Trusts, for the Poor of the *Trinity House* of *Dover*,) shall, upon the passing of this Act, belong to and become vested in the *Trinity House of Deptford Strond;* and the said *Trinity House* shall have Power to sell the same or any Part thereof as Occasion may require, and to give full Discharges for the Purchase Money of any Part thereof which may be sold; and all Monies which if this Act had not passed would have been paid for any Purpose connected with the Relief or Benefit of Cinque Port Pilots, their Appointees, Widows, or Issue, either in respect of surplus Duties on Foreign Vessels, or by way of Fees or Contributions from Cinque Port Pilots licensed before this Act comes into operation, and all Sums which would if this Act had not passed been

Property of Society of Cinque Port Pilots to be transferred to Trinity House.

Payments to Cinque Port Pilots Fund to be made henceforth to the Trinity House.

Union of Trinity House and Cinque Port Pilots.

been payable by such Pilots as *Trinity* Money or Clerks Fees, and all Penalties or Fines payable by or in respect of such Pilots, shall, save as such Contributions, *Trinity* Money, or Clerks Fees may be varied or remitted under the Regulations to be made and approved as herein-after mentioned, and save also such of the said Contributions as may cease by reason of any such Purchases or Commutations of Claims as herein-after provided for, be paid to the *Trinity House*, and the said Property and Monies shall be carried to and form Part of the Pilotage Funds of the *Trinity House*.

Trinity House to pay Debts and to settle the Claims of Persons now in receipt of Relief, and of existing Cinque Port Pilots.

XI. The said *Trinity House* shall, out of their said Pilotage Fund, pay all Debts, if any, lawfully and properly incurred by the said Court of Loadmanage before this Act comes into operation, and also such Compensation or Superannuation Allowances (if any) as the Board of Trade may in its Discretion allow to any Persons now in the Employ or Service of the Court of Loadmanage, or of the Lord Warden of the Cinque Ports, or of the Society of Cinque Port Pilots, who may be deprived of Salaries or Emoluments by reason of the passing of this Act, so that no such Compensation or Superannuation Allowance shall exceed the Proportion of Salary or Emoluments which might be granted under similar Circumstances to a Person in the Public Civil Service under the Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four; and may in the next place, subject to the Regulations to be made and approved as herein-after mentioned, either purchase out of the said Funds the Claims of all or any of the Persons who, but for the passing of this Act, would have been in the Receipt of Pensions or other Relief either out of the said Cinque Port Pilots Fund, or under any Byelaws of the said Society now in force, or who have already paid Widows Dues, or have otherwise contributed to the Relief of superannuated Cinque Port Pilots, or of the Widows, Appointees, or Issue of Cinque Port Pilots, such Purchases to be made upon such Terms as may be determined by the said Regulations, or may, subject as aforesaid, continue to pay out of the said Funds Pensions or other Relief to all or any of the Persons who might if this Act had not passed have received the same out of the said Funds, or under any Byelaws of the said Society now in force, such Pensions or other Relief to be of such Amount as may be determined by the said Regulations to be made and approved as herein-after mentioned; and the *Trinity House* may, subject to such Regulations, make Arrangements for enabling any Person who, but for the passing of this Act, would be entitled to a Pension or other Relief under the Byelaws of the said Society of Cinque Port Pilots now in force, or any Cinque Port Pilot licensed before this Act comes into operation, to purchase an Interest in the said *Trinity House*

Trinity House may enable existing Cinque Port Pilots to purchase an Interest in the Trinity House Pilots Fund.

House Pilots Fund; and the Terms of such Purchase, including the Amount and Nature of such Interest, and the Consideration payable for the same, shall be determined by such Regulations as aforesaid; and every Cinque Port Pilot who chooses to make such Purchase shall thereafter pay to the said *Trinity House* the same Contributions, whether by way of Poundage or otherwise, as are for the Time being payable by Pilots licensed by the *Trinity House*.

Union of Trinity House and Cinque Port Pilots.

XII. The said *Trinity House* shall also out of their said Pilotage Funds pay all such Superannuation Allowances or other Relief to Pilots licensed by them before this Act comes into operation, or to the Widows and Children of such Pilots, as might have been payable by the said *Trinity House* if this Act had not passed; and, subject to the Charges aforesaid, the said *Trinity House* Pilots Fund shall be chargeable in the first instance with such Expenses as the said *Trinity House* may duly incur in the Performance of its Duties in respect of Pilots and Pilotage, so nevertheless that no Superannuation Allowance to any Person in the Employ of the said *Trinity House* which is included in such Expenses shall exceed the Proportion of his Salary which might be granted under similar Circumstances to a Person in the Public Civil Service under the Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four, or under any other Act for regulating such Superannuation Allowances for the Time being in force; and, subject thereto, the said *Trinity House* Pilots Fund shall be administered by the said *Trinity House* for the Benefit of such Pilots licensed by the said *Trinity House* after this Act comes into operation as are incapacitated for the Performance of their Duty by reason of Age, Infirmity, or Accident, and of the Widows and Children of Pilots so licensed, or of such incapacitated Pilots only, upon such Conditions and under such Regulations as the said *Trinity House*, with the Consent of the Board of Trade, may think fit to adopt; and if it appears to the said *Trinity House* that the Contributions for the Time being payable to the said *Trinity House* Pilots Fund are insufficient to enable them to grant Allowances of proper and adequate Amount, it shall be lawful for the said *Trinity House*, with such Consent and subject to such Regulations as aforesaid, from Time to Time to increase and alter the Amount of the annual Contribution, or of the Poundage upon the Sums earned by Pilots, which under the Fourth Section of the said Act of the Sixth Year of the Reign of King *George* the Fourth, Chapter One hundred and twenty-five, Pilots licensed by the said *Trinity House* are required to pay to the said Pilotage Fund.

As to Charges on Trinity House Pilotage Fund, and its future Management.

XIII. And

Pilotage.

Union of Trinity House and Cinque Port Pilots.

Recital of Principles upon which Claims of Cinque Ports Pilots are to be settled.

XIII. And whereas it is intended that Cinque Port Pilots licensed before this Act comes into operation, their Widows and Appointees, shall, as a Body, receive, under the Provisions herein-before contained, Benefits equal in Amount to the Benefits which they might lawfully and properly have received out of the several Funds and Payments so transferred to the *Trinity House* as aforesaid if this Act had not passed: And whereas it has been estimated that the Funds and Payments so transferred, including the Principal as well as the Interest of the said Funds, would, if duly applied, be sufficient to carry the said Intention into effect; but in consequence of the numerous Contingencies involved it is impossible to calculate with Certainty the Amount which will be necessary for that Purpose, or to determine with Precision the Manner in which such Amount shall be applied, and it is therefore expedient that all due Claims of the said Cinque Port Pilots, their Widows, Appointees, and Issue, should be provided for by the said *Trinity House* out of their General Pilotage Funds as herein-before provided, and that the Board of Trade and the *Trinity House* should be intrusted with such Powers as are necessary for settling the said Claims, and for carrying into effect the Provisions herein-before contained in respect thereof: Be it enacted, That for the Purpose of carrying the said Intention and Provisions into effect the said *Trinity House* may, with the Approval of the Board of Trade, from Time to Time make Regulations for altering and determining the Payments and Contributions to be made by Cinque Port Pilots licensed before this Act comes into operation, and for settling, purchasing, and commuting the Claims of Persons now in receipt of Relief from the said Cinque Port Pilots Fund, and of the said Cinque Port Pilots licensed before this Act comes into operation, their Widows, Appointees, and Issue, and for determining the Terms and Conditions on which such Settlement is to be made, and in framing such Regulations due Regard shall be had to the Intention herein-before expressed; and the said *Trinity House* may also, with such Consent as aforesaid, from Time to Time make Regulations for the future Management of the *Trinity House* Pilots Fund, and also for the Management and Maintenance of any Pilot Boats or Cutters belonging to the said Cinque Port Pilots, or to any Pilots for the Time being under the Government of the said *Trinity House*, and for the Distribution of the Earnings (if any) of such Boats or Cutters, and for the Succession to, Purchase of, or Transfer of any Interests therein; and all such Regulations, after being approved of by the Board of Trade, shall be binding upon all Parties.

Trinity House, with Consent of Board of Trade, may make Regulations for settling the above Claims.

Licensing Masters and Mates.

Power to the Board of

XIV. And whereas by the Act of the Thirteenth Year of the Reign of Her present Majesty, Chapter Eighty-eight, Provision was made for enabling a Master or Mate to pilot his own Vessel without the Assistance

tance of a licensed Pilot upon his passing an Examination before or under the Direction of the proper Pilotage Authorities, and obtaining a Certificate as therein mentioned, but the Institution of such Examination was left to the Option of the said Authorities: And whereas it is expedient to extend and amend the Provisions of the said Act: Be it enacted, That if upon Complaint to the Board of Trade it appear to such Board that any such Authority as aforesaid have without reasonable Cause refused or neglected to examine any Master or Mate who has applied to them for the Purpose, or after he has passed have without reasonable Cause refused or neglected to grant him a Certificate, or that the Examination of any such Master or Mate has been unfairly or improperly conducted, or that any Terms imposed or sought to be imposed by such Authority are unfair or improper, the Board of Trade may, if in their Judgment the Circumstances appear to require it, appoint Persons to examine such Master or Mate, and if he be found fit to pilot his Vessel within the Limits for which he is examined, may grant him a Certificate setting forth the Limits and the Vessel for which he is certified, upon such Terms and Conditions, and subject to such Regulations, as such Board may think fit; and such Certificate shall be in force for One Year, and may be renewed from Year to Year either by the said Authorities in the Manner and upon the Terms in the said Act mentioned, or by the Board of Trade, if such Board so think fit, such Renewal to be indorsed on the said Certificate either by such Person as the Board of Trade may appoint for the Purpose, or in the Manner by the said Act provided as to the Certificates therein mentioned; and all Certificates granted under this Act shall have the same Effect as Certificates granted under the said last-recited Act.

Licensing Masters and Mates.

Trade to examine and grant Pilotage Certificates to Masters and Mates on the Pilotage Authorities refusing to do so under 12 & 13 Vict. c. 88.

XV. All Masters or Mates to or for whom any such Certificates as aforesaid are granted or renewed by any Pilotage Authority shall pay to such Authority, or as it may direct, such Fees upon their respective Certificates and upon the Renewals thereof as may from Time to Time be fixed for that Purpose by the said Authority, with the Consent of Her Majesty in Council; and all Masters and Mates to or for whom any such Certificates are granted or renewed by the Board of Trade shall pay to such Board or as it may direct such Fees upon their Certificates and upon the Renewals thereof as may be fixed by such Board, so nevertheless that in the Case of Certificates granted or renewed by the Board of Trade such Fees shall in no Case be less than the Fees payable by the Pilots in the same District upon their Licences and the Renewal thereof; and such Fees shall in the Case of Certificates and Renewals granted by Pilotage Authorities be applicable either to paying the Expense of the Examinations, or any other general Expenses connected with Pilotage incurred by such Authorities,

Fees to be paid upon such Licences and the Renewals thereof.

Licensing Masters and Mates.

Authorities, or to the Pilots Superannuation Fund (if any), or otherwise for the Benefit of the Pilots licensed by such Authorities, as such Authorities may think fit; and such Fees shall in the Case of Certificates granted or renewed by the Board of Trade be applicable to the Expense of the Examinations, and the Surplus (if any) shall be applied for the Benefit of the Pilots of the Port or District in such Manner as such Board may think fit.

Power to withdraw Certificates.

XVI. If at any Time it appears to the Board of Trade or to any Pilotage Authority that any Master or Mate to whom a Certificate has been granted by such Board or Authority under the Provisions of the said last-mentioned Act or of this Act has been guilty of Misconduct, or has shown himself incompetent to pilot his Vessel, such Board or such Authority (as the Case may be) may thereupon withdraw his Certificate, and such Certificate shall thenceforth cease to be of any Effect whatever.

Returns and Accounts.

Pilots to make Returns of their Earnings to the Bodies by whom they are licensed.

XVII. And whereas it is expedient to make Provision for ascertaining and making public the Amount of Pilotage Rates levied on Shipping, with other Particulars relating to Pilotage: Be it enacted, That every Person duly authorized or licensed to act as a Pilot shall, before the Thirty-first Day of *January* in each Year, give to the Pilotage Authority by whom he is so authorized or licensed a full Account of all Sums of Money earned by him as a Pilot in the course of the preceding Year, with the Names and Descriptions of the Vessels in respect of which, and a Statement of the Services by means of which, the same have been earned; and if any such Pilot upon being applied to for such Account fail to deliver the same within One Month after such Application, the Pilotage Authority by whom he has been licensed or authorized is hereby empowered and required to withdraw his Licence, or to deprive him of his Authority to act as Pilot, until the said Account is delivered.

Pilotage Authorities to make full Returns to the Board of Trade of various Particulars connected with Pilotage.

XVIII. Every Pilotage Authority shall deliver periodically to the Board of Trade, in such Form and at such Times as it may require, Returns of the following Particulars with regard to Pilotage within the Port or District under the Jurisdiction of such Authority; that is to say,

All Byelaws, Regulations, Orders, or Ordinances relating to Pilots or Pilotage for the Time being in force:

The Names and Ages of all Pilots or Apprentices licensed or authorized to act by such Authority, and of all Pilots or Apprentices acting either mediately or immediately under such Authority, whether so licensed or authorized or not:

The

Returns and Accounts.

The Service for which each Pilot or Apprentice is licensed:

The Rates of Pilotage for the Time being in force, including therein the Rates and Descriptions of all Charges upon Shipping made for or in respect of Pilots or Pilotage:

The total Amount received for Pilotage, distinguishing the several Amounts received from *British* Vessels and from Foreign Vessels respectively, and the several Amounts received in respect of different Classes of Vessels paying different Rates of Pilotage, according to the Scale of such Rates for the Time being in force, and the several Amounts received for the several Classes of Service rendered by Pilots; and also the Amount paid by such Vessels (if any) as have before reaching the Limits of Pilotage Water if outward-bound, or their Port of Destination if inward-bound, to take or pay for Two or more Pilots, whether licensed by the same or by different Pilotage Authorities; together with the Numbers of the Vessels of each of the several Classes paying such several Amounts as aforesaid:

The Receipt and Expenditure of all Monies received by or on behalf of such Authority, or by or on behalf of any Sub-Commissioners appointed by them, in respect of Pilots or Pilotage:

And shall allow the Board of Trade, or any Persons appointed by such Board for the Purpose, to inspect any Books or Documents in its or their Possession relating to the several Matters herein-before required to be returned to the Board of Trade.

If any of the local Authorities fail to give the required Returns, they may be deprived of their Authority, and the Power of appointing Pilots shall vest in the Trinity House.

XIX. If any of such Pilotage Authorities as aforesaid (other than the said *Trinity House* or Sub-Commissioners of Pilotage appointed by it) fail to deliver to the Board of Trade the periodical Returns herein-before required within One Year of such Time as may be fixed by that Board for the Purpose, or if any of such Authorities do not allow the said Board, or any Persons who may be appointed by it for the Purpose, to inspect any Books or Documents in their Possession relating to the Matters herein-before required to be returned by them, it shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, to direct that all the Rights and Powers of such Authorities in respect of Pilotage shall cease or be suspended during such Time as Her Majesty may direct; and thereupon the said *Trinity House* shall thereafter or during such Time as such Suspension may continue have and exercise the same Powers of appointing Sub-Commissioners of Pilotage and of licensing Pilots, and of establishing and altering Rates of Pilotage, within the District within which the Authority so making Default has previously appointed or licensed Pilots, as the said *Trinity*

Returns and Accounts.

Trinity House is by the said Act of the Sixth Year of the Reign of King *George* the Fourth, Chapter One hundred and twenty-five, authorized to exercise in all Ports or Places in *England* for which no particular Provision is made by any Act of Parliament or Charter for the Appointment of Pilots, and shall also during such Time as aforesaid have and exercise the same Rights, Title, and Powers to, and in respect of any Pilotage Funds or other Pilotage Property which the said Pilotage Authorities would or might have had or exercised if not so suspended as aforesaid.

Such Returns to be laid before Parliament.

XX. The Board of Trade shall, without Delay, cause the several Returns herein-before required to be made to such Board to be laid before both Houses of Parliament.

Power to make Alterations.

Power to Pilotage Authorities, with Consent of Her Majesty, to do the following Things:

XXI. And whereas it is expedient to give Facilities for amending the System of Pilotage, and for reducing or otherwise altering the Rates payable in respect thereof: Be it enacted, That it shall be lawful for every Pilotage Authority, by Regulation or Byelaw made with the Consent of Her Majesty in Council, from Time to Time to do all or any of the following Things in relation to Pilots and Pilotage within their respective Districts; *viz.*

To fix and alter Qualifications of Pilots:

To determine the Qualifications to be required from Persons applying to be licensed as Pilots, whether in respect of their Age, Skill, Time of Service, Character, or otherwise, and from Time to Time to alter any Regulations for the Time being in force with respect to such Qualifications:

To make and alter Regulations for the Government of Pilots, and of certificated Masters and Mates.

To make and from Time to Time to alter Regulations for the Government of the Pilots licensed by them, and for insuring the good Conduct of such Pilots, and their constant Attendance on and effectual Performance of their Duty either at Sea or on Shore, and for licensing and regulating Pilot Boats; and to make, and from Time to Time to alter, the Terms, Conditions, and Regulations upon which such Certificates as herein-before mentioned are granted by such Pilotage Authority to Masters and Mates; and for punishing any Breach of such Regulations as aforesaid committed by such Pilots or by such Masters and Mates by the Withdrawal or Suspension of their Licences or Certificates, as the Case may be, or by the Infliction of Penalties, to be recoverable summarily before Two Justices, so that no such Penalty be made to exceed the Sum of Twenty Pounds, and so that every such Penalty be capable of Reduction at the Discretion of the Justices by whom the same is inflicted:

To alter and reduce Rates of Pilotage:

To fix and from Time to Time to alter the Rates and Prices or other Remuneration to be demanded and received by Pilots licensed by such Authority, or to substitute other Rates and Prices in lieu of those for the Time being demanded or received, or to alter the Mode of

of remunerating Pilots, in such Manner as such Authority may, with such Consent as aforesaid, think fit, so that no higher Rates or Prices be demanded or received from the Masters or Owners of Ships than the Rates and Prices which might, if this Act had not passed, have been demanded or received:

Power to make Alterations.

To exempt the Masters of any Ships or Vessels, or of any Classes of Ships or Vessels, from being compelled to employ Pilots, and to annex any Terms or Conditions to such Exemptions, and from Time to Time to revoke and alter any Exemptions so made, and to revise and extend any Exemptions now existing by virtue of any Act of Parliament or Charter, upon such Terms and Conditions and in such Manner as such Authority, with such Consent as aforesaid, may think fit:

To make and extend Exemptions from compulsory Pilotage:

To make such Arrangements with any other Pilotage Authority in the same or any neighbouring Port or District for altering the Limits of their respective Districts, and for extending the Powers of such neighbouring Authority or the Privileges of the Pilots licensed by such Authority or any of them to all or any Parts of its own District, or for limiting its own Powers or the Privileges of its own Pilots or any of them, or for sharing the said last-mentioned Powers and Privileges with the said other Authority and the Pilots licensed by it, as may appear to such Pilotage Authorities to be desirable for the Purpose of facilitating Navigation, or of reducing Charges on Shipping.

To arrange the Limits of Pilotage Districts.

And every Regulation or Byelaw duly made by any Pilotage Authority in exercise of the Powers hereby given to it, and with such Consent as aforesaid, shall be valid and effectual, notwithstanding any Act of Parliament, Rule, Law, or Custom to the contrary.

XXII. In Ports, Places, or Districts for which no Sub-Commissioners of Pilotage have hitherto been appointed, no such Sub-Commissioners shall hereafter be appointed without the Consent of Her Majesty in Council, and no Pilotage District under the Jurisdiction of any Sub-Commissioners of Pilotage shall hereafter be extended without such Consent.

No new Sub-Commissioners to be appointed, and no Pilotage District to be extended, without Her Majesty's Consent.

XXIII. So much of the said Act of the Sixth Year of King *George* the Fourth, Chapter One hundred and twenty-five, as provides that no Byelaws, Rules, Orders, Regulations, or Ordinances to be made by the *Trinity House* as therein mentioned shall have Force or Effect before they have been examined, sanctioned, and approved by the Chief Justice of the Court of Queen's Bench or of the Common Pleas, shall be repealed; and all Byelaws, Rules, Orders, Regulations, or Ordinances hereafter made by the *Trinity House*, in exercise of the Powers contained in the said Act or in this Act, shall be submitted

Trinity House Regulations to be approved by Her Majesty in Council instead of by a Chief Justice under 6 G. 4. c. 125.

Power to make Alterations.

to Her Majesty in Council for Approval, and shall, if so approved, but not otherwise, have the Force and Effect of Law.

All such Orders to be laid before Parliament.

XXIV. Every Order in Council made in pursuance of the Provisions herein-before contained shall be laid before both Houses of Parliament as soon as possible after the making thereof.

Miscellaneous.

Places, &c. to which the Act is to extend.

XXV. This Act shall, so far as the Context and Subject Matter admit, extend to all Ports and Districts in *Great Britain* or *Ireland* or the *Isle of Man*, or in the Rivers thereof respectively, or in the Seas or Channels adjacent thereto respectively, in which any Masters of Vessels are compelled by Law to employ Pilots, or in which any Persons are licensed or authorized to act as Pilots by or under the Authority of Law, or in which the Rates or Prices to be demanded or received for Pilotage Services are fixed by Law or under Authority derived from Law.

Interpretation of Terms.

XXVI. In the Construction of this Act the following Words and Expressions in this Act shall have the Meanings hereby assigned to them, if not inconsistent with the Context or Subject Matter; that is to say,

The Expression "Board of Trade" shall mean the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations:

The Word "*Trinity House*" shall mean the Master, Wardens, and Assistants of the Guild, Fraternity, or Brotherhood of the Most Glorious and Undivided *Trinity* and of *Saint Clement* in the Parish of *Deptford Strond* in the County of *Kent*, commonly called the Corporation of *Trinity House of Deptford Strond*:

The Expression "Pilotage Authority" shall include the said *Trinity House*, and all other Bodies or Persons authorized to appoint or license Pilots, or to fix or alter Rates of Pilotage, or to exercise any Jurisdiction in respect of Pilotage:

The Expression "Cinque Port Pilots" shall mean the Pilots of the Society or Fellowship of the *Trinity House* of *Dover*, *Deal*, and the *Isle of Thanet*.

Time of Commencement.

XXVII. This Act shall come into operation on the First Day of *October* One thousand eight hundred and fifty-three.

Short Title.

XXVIII. This Act may be cited as the "Pilotage Law Amendment Act, 1853."

XXIX. No

Pilotage.

Miscellaneous.

Proviso as to 3 & 4 Vict. c. 68. s. 1.

XXIX. No Provision contained in the First Section of an Act of the Fourth Year of the Reign of Her present Majesty, Chapter Sixty-eight, and no Order or Certificate duly made and issued by virtue thereof, shall cease or become void by reason of the passing of this Act.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1853.

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

CAP. CXXX.

An Act to amend the Acts for promoting the Drainage of Lands and Improvements in connexion therewith in *Ireland* [20th *August* 1853.]

WHEREAS an Act was passed in the Session of Parliament holden in the Fifth and Sixth Years of Her Majesty, intituled *An Act to promote the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in* Ireland, which Act was amended by an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of Her Majesty, Chapter Sixty-nine, and an Act passed in the Session of Parliament holden in the Ninth and Tenth Years of Her Majesty, Chapter Four, and an Act passed in the same Session of Parliament, Chapter Eighty-six, and an Act passed in the Session of Parliament holden in the Tenth and Eleventh Years of Her Majesty, Chapter Seventy-nine: And whereas various Works for the Drainage of Lands, and Improvement of Navigation and Water Power in connexion therewith, in *Ireland*, have been undertaken and carried on by the Commissioners appointed to act in execution of the said Acts both under the ordinary Provisions and the Provisions for summary Proceedings in the said Acts respectively contained: And whereas in many Instances the Estimates of the

5 & 6 Vict. c. 89.

8 & 9 Vict. c 69.

9 & 10 Vict. cc. 4. and 86.

10 & 11 Vict. c. 79.

Expenses of such Works respectively have been exceeded, and many of the said Works are still unfinished, and in certain Cases the Assents requisite to authorize the Charge on the Lands to be improved, of the Sums necessary for completing the proposed Works have not been obtained: And whereas Inquiries have been already made under the Direction of the Commissioners of Her Majesty's Treasury in relation to certain of the said Works now remaining unfinished, and the said Commissioners have directed like Inquiries in relation to others of the said Works: And whereas it is expedient that Provision should be made for the Completion of the said Works, or such of them as upon the Inquiries already made as aforesaid, or upon the Inquiries to be hereafter made in relation thereto, the said Commissioners of the Treasury may think fit, and with such Modification (if any) as to them may seem proper, and that such Commissioners should be authorized to direct where they see fit that the Expense of such Works to be charged against the Proprietors of Land should be limited to such Amount as between such Proprietors and the Public may appear to the said Commissioners to be just, and that the said Acts should be amended as herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Treasury may give Directions concerning Completion of Works.

I. The said Commissioners of the Treasury may authorize and direct the Commissioners of Public Works in *Ireland* to cause to be completed the Works commenced under the Provisions of the said Acts or any of them, or such of the same Works or such Parts thereof respectively as, upon the Inquiries already made as aforesaid, or to be hereafter made under the Directions of the said Commissioners of the Treasury, such Commissioners of the Treasury may think fit, and with any Modifications or Alterations which to the said Commissioners of the Treasury may appear expedient, or to make and execute any other Works which to them may seem fit for effecting all or any of the Objects intended to be effected by the said Works; and the said Commissioners of Public Works shall, without any Assents or further Assents of Proprietors, Notice, or other Preliminary or Proceeding by the said Acts required to be given or taken before the Execution of any Works, have full Power and Authority to cause to be executed or completed the Works so authorized and directed by the said Commissioners of the Treasury to be completed or executed, and for that Purpose to do and execute all Acts, and exercise all Powers and Authorities by the said Acts or this Act given for the Execution of any Work, and in and by an Award to be made in relation to such Works in manner provided by the said Acts upon the Completion of Works authorized to be executed thereunder

thereunder to provide for the Repayment of the Amount of all Costs, Charges, and Expenses incurred under the said Acts and this Act, or any of them, in relation to such Works (inclusive of Interest on Money borrowed), or such lesser Sum as under the Provision herein-after contained may be authorized in this Behalf, with Interest from the Date of such Award as provided by the said Acts, any Provision in the said Acts or any of them requiring or concerning Assents or any other Provisions therein to the contrary in anywise notwithstanding.

Treasury may reduce the Amount to be charged against Proprietors of Lands.

II. It shall be lawful for the said Commissioners of the Treasury, where, upon any Inquiries made or to be made as aforesaid, it appears to them just that the Proprietors to be charged under the Award in relation to any Works to be executed or completed as aforesaid, or which have been completed before the passing of this Act, and in relation to which an Award has not yet been made, should be relieved from a Portion of the Amount of the Expenses incurred in relation to such Works, to authorize and direct the said Commissioners of Public Works in and by their Award to be made under the said Acts or any of them to charge upon the Lands made liable under such Award in respect of such Works such lesser Sum than the full Amount of the Expenses of and incidental to such Works (inclusive of Interest on Money borrowed) as to the said Commissioners of the Treasury may, under the Circumstances of each Case, appear just; and it shall also be lawful for the said Commissioners of the Treasury to direct that the Rate of Interest which shall be charged in such Award on the Sum or Sums payable thereunder shall be Four Pounds *per Centum per Annum:* Provided always, that in all Cases the whole Amount of the Purchase Money or Compensation payable in respect of Land taken for or injuriously affected by any Works commenced and completed or executed under the said Acts or this Act shall be included in and charged under the Award to be made in relation to such Works.

Treasury to cause Reports on Inquiries to be deposited with the Clerk of the Peace, and Notice of Deposit published, and until Directions of the Treasury are given, Works may be continued as if this Act had

I I. Provided also, That before the said Commissioners of the Treasury give any Authority or Direction, in pursuance of the foregoing Provisions, to the said Commissioners of Public Works for the Execution or Completion of any Works, or as to the Amount of Principal Money to be charged under any Award as aforesaid, the said Commissioners of the Treasury shall cause a Copy of any Report which may have been made to them in pursuance of any Inquiries to be hereafter made under their Directions as aforesaid in relation to such Works or the Amount to be charged under such Award, to be deposited by the said Commissioners of Public Works with the Clerk of the Peace of each County in which the District shall be situate, who is hereby required to receive the same, and all Persons shall have Liberty

not been passed.

Liberty to inspect the same on the Payment of Sixpence for each Inspection; and the said Commissioners of the Treasury shall limit a Time, not less than Twenty-one Days from the Time of the Publication of Notice of such Deposit, within which Objections to such Report may be made; and the said Commissioners of Public Works shall cause Notice of such Deposit, of the Time so limited for making Objections to such Report, and of the Manner in which such Objections are to be transmitted to the said Commissioners of the Treasury, to be forthwith published in some Newspaper circulating in such District: Provided also, that until Directions shall be given by the said Commissioners of the Treasury in relation to any Works now in progress, nothing herein-before contained shall be construed to prevent the said Commissioners of Public Works from proceeding with such Works in like Manner as if this Act had not been passed.

Power to Treasury to reduce Amount charged under existing Awards.

IV. It shall be lawful for the said Commissioners of the Treasury, if they see fit, (upon the Recommendation of the said Commissioners of Public Works, or of such Persons as may be appointed by the said Commissioners of the Treasury to make Inquiries for the Purposes of this Provision,) in any Case where a final Award has been already made, whether the same has been enrolled or not, to reduce the total Amount of Principal Money charged upon the Lands under such Award, and also, if they see fit, where the Rate of Interest charged by such Award exceeds Four Pounds *per Centum per Annum*, to reduce such Interest to that Rate, and to direct the said Commissioners of Public Works to make a rateable Reduction in the respective Portions of such Amount charged by the said Award upon the several Lands charged thereunder, and for that Purpose to make such Alteration in the Amount or Duration of the Instalments payable under such Award, or as well in the Duration as in the Amount thereof, as the said Commissioners of the Treasury may think fit, and where the said Commissioners of the Treasury so direct, to reduce the Rate of Interest to be thereafter payable in respect of the Sums charged under such Award to such Rate as aforesaid, and the said Commissioners of Public Works shall make such Reduction accordingly, and shall forthwith proceed to frame and settle a supplemental or new Award in conformity with the Directions of the said Commissioners of the Treasury without any Meeting, Notice, or other Proceeding previously to finally settling the same, and such supplemental or new Award shall be enrolled in the Rolls Office of Her Majesty's Court of Chancery in *Ireland*, and a Copy thereof deposited with the Clerk of the Peace in manner directed by the said Acts concerning the final Award of the Commissioners, and a Copy of such supplemental or new Award certified by the proper Officer of the said Rolls Office shall be Evidence thereof: Provided always, that in case any Proprietor

prietor shall, under the Provisions of the said Acts, have paid off the Principal Sum charged upon his Lands by any such Award, he shall be entitled to the Benefit of any Reduction so directed by the Commissioners of the Treasury as aforesaid, and to be reimbursed accordingly.

Awards when enrolled to be conclusive.

V. All supplemental or new Awards to be made as aforesaid, when enrolled as aforesaid, shall be binding and conclusive, and, subject to the Provision lastly herein-before contained, all final Awards heretofore made or purporting to have been made by the said Commissioners of Public Works, and enrolled as by the said Acts required, shall be and be deemed to have been valid and binding and conclusive.

Commissioners may pay off Debentures on Notice.

VI. Anything in the said Acts to the contrary notwithstanding, it shall be lawful for the Commissioners of Public Works, by and with the Sanction and Direction of the said Commissioners of the Treasury, from Time to Time to pay off all or any of the Certificates or Debentures heretofore issued and granted under the said Acts or any of them, on giving a Notice in the *Dublin Gazette* of their Intention so to do, and fixing a Day not sooner than Two Months from the Date of such Notice in which the Certificates or Debentures therein referred to shall be paid off; and from and after the Day in such Notice mentioned for the Payment of any such Certificates or Debentures the Interest on the Principal Money secured thereby shall cease and determine.

Treasury may remit Amount not charged against Proprietors.

VII. It shall be lawful for the said Commissioners of the Treasury where, under the Provisions of this Act, they authorize the Reduction of the Amount to be charged under any Award to be hereafter made, or the Amount charged under any Award already made, to direct so much of the Monies which may be payable in respect of any Loan or Loans made by the said Commissioners of Public Works for the Purposes of any Works under the said Acts or this Act as may be equal to the Sums by which the Amount charged or to be charged under such Award shall be reduced, shall be remitted and cease to be payable.

Saving for Creditors.

VIII. Provided always, That where the reduced Amount which may be charged by any Award made under the Provisions of this Act may be less than the Monies which may be secured and remain unpaid on the Certificates or Debentures issued in respect of the Expenses of the Works to which such Award relates, the Commissioners of Her Majesty's Treasury shall cause to be paid off such Certificates or Debentures, or so much of the Monies secured thereby

as will reduce the Amount which shall remain owing thereon to or below the Amount charged by such Award.

Commissioners to account and report annually to Parliament.

IX. The Commissioners shall cause detailed Accounts in Writing of the several Sums received by them as such Commissioners, and of the Sums expended by them, and the Mode of such Expenditure, and of the several Works made or in progress under the said Acts or this Act, to be made up to the Thirty-first Day of *December* in each Year, and such Accounts shall be laid before both Houses of Parliament within Thirty Days thereafter if Parliament be then sitting, or within Thirty Days after the First Meeting of Parliament subsequent to the Thirty-first Day of *December;* and the Commissioners shall, as often as they shall be required so to do by the Commissioners of the Treasury, transmit to them Accounts made up to such Period as such last-mentioned Commissioners shall direct, and shall also transmit to the Commissioners for auditing the Public Accounts, Accounts of the Receipt of Monies which shall come to their Hands under the said Acts or this Act, and of its Application and Expenditure, for the Purpose of Examination and final Audit.

Parts of Acts set forth in the Schedule to this Act repealed.

X. The several Parts of Acts set forth in the Schedule to this Act annexed shall be repealed, except as to anything heretofore done, and except so far as the Provisions so repealed may be necessary for the Purpose of supporting any Proceedings heretofore taken.

Treasury to appoint Persons to act as Arbitrators.

XI. It shall be lawful for the said Commissioners of the Treasury from Time to Time to appoint Two or more Persons as Occasion shall require to be Arbitrators for the Purposes herein-after mentioned, and to remove, where such Commissioners see fit, any Person so appointed.

Commissioners may purchase Lands for Works.

XII. The said Commissioners are hereby authorized to purchase any Lands which they shall think it necessary or proper to purchase for accomplishing any of the Purposes of the said Acts and of this Act, making such reasonable Satisfaction and Recompence to the Persons entitled to or interested in such Land as shall be settled and ascertained in manner herein-after mentioned.

Notice to be given to Proprietors and Occupiers of Land with respect to Purchase or Compensation.

XIII. The said Commissioners of Public Works shall cause Notices in Writing, specifying therein with reasonable Certainty the Quantity of Land taken or required to be taken, or injured or liable to be injuriously affected, and the Nature of the Injury that may be done or proposed to be done thereto, to be delivered to or left at the usual Places of Abode of the Proprietors or Occupiers, or reputed Proprietors or Occupiers, and all Persons interested, (where the same

may

may be known to the Commissioners,) of and in all such Land as may be or have been taken or required to be taken for, or be or have been injured or liable to be injuriously affected by, the Works made or proposed to be made under the said recited Acts and this Act, requiring such Proprietors, Occupiers, or other Persons, on or before a Day to be named in such Notice, to prefer their respective Claims to such Commissioners for the Value of such Land, or the Compensation to be allowed for any Loss, Damage, or Injury, together with a short Statement or Particulars of the Title of the Party making such Claim thereto, and that in case the Commissioners and the Parties making such Claim shall not agree as to the Amount thereof, that a Meeting will be held by the Arbitrator to be nominated for the Purpose as herein-after mentioned for inquiring into all such Claims; and the said Commissioners shall, if they see fit, cause a like Notice to be published in some Newspaper circulating in the County or Counties in which such Land as aforesaid shall be situate.

Arbitrator to be appointed where Parties do not agree.

XIV. In all Cases in which any Corporation, Trustee, or other Person interested in or authorized by the said recited Acts to contract for, sell, and convey any Lands, shall neglect or refuse to treat or not agree with the Commissioners, or by reason of Absence or Disability cannot agree or be not found or known, or shall not prove a clear Title to the Land or to the Estate or Interest which such Corporation, Trustee, or Person shall claim therein, to the Satisfaction of the Commissioners, it shall and may be lawful for the Commissioners to nominate One of the Persons so appointed by the said Commissioners of the Treasury Arbitrators as aforesaid to be an Arbitrator for the Purpose of ascertaining the Purchase Money or Compensation (if any) to be paid for or in respect of the Lands, or any Loss, Damage, or Injury thereto, mentioned in any such Notice so given by the Commissioners.

Arbitrator may call for Papers, &c. and examine Witnesses.

XV. Such Arbitrator may call for the Production of any Documents in the Possession or Power of the Commissioners, or of any Party making any Claim under the Provisions of this Act, which such Arbitrator may think necessary for determining any Question or Matter to be determined by him under this Act, and may examine any such Party and his Witnesses, and the Witnesses for the Commissioners or the Proprietors of Lands within the District referred to in any such Notice, on Oath, and administer the Oaths necessary for that Purpose.

Arbitrator to make a Declaration.

XVI. Before any Arbitrator shall enter upon any Inquiry he shall in the Presence of a Justice of the Peace make and subscribe the following Declaration; that is to say,

'I *A.B.*

'I *A.B.* do solemnly and sincerely declare, That I will faithfully and honestly, and to the best of my Skill and Ability, hear and determine the Matters referred to me under the Provisions of the Act (*naming this Act*).

'*A.B.*

'Made and subscribed in the Presence of .'

And such Declaration shall be annexed to the Award when made, and if any Arbitrator having made such Declaration wilfully act contrary thereto he shall be guilty of a Misdemeanor.

Documents to be delivered to Arbitrator, and Parties to be summoned to attend.

XVII. Upon Nomination of any such Arbitrator as aforesaid, the Commissioners shall deliver to the Person so nominated a Copy of the Notice given by them, together with a Map (if any) of the Premises referred to in the said Notice, and all Claims sent in to the Commissioners pursuant to such Notice, and such other Documents as the Commissioners shall think necessary, and thereupon such Arbitrator shall issue his Summons to all Parties concerned in the Matter so referred to his Arbitration, requiring them to attend before him at a Place and on a Day to be fixed by him in such Summons, not earlier than Fourteen Days from the Date thereof, and shall inquire and adjudicate on such Matter, and proceed to make his Award in the Premises as herein-after provided.

Arbitrator to adjudicate upon Claims and make his Award.

XVIII. The Arbitrator shall at the Time and Place mentioned in such Summons (and whether the Parties summoned, or any of them, attend before him or not,) proceed to inquire into and adjudicate upon the Value of the Lands required for the Purposes of the said Acts and this Act, or in respect of which a Claim for Compensation may be made for any Injury thereto, and the several Interests in such Lands in respect of which no Agreement shall have been come to between the Commissioners and the Parties entitled thereto, and the Purchase Money to be paid for such Lands, and the Compensation to be paid for Injury to any Lands injuriously affected by the Execution of the Works of the Commissioners; and the Arbitrator shall, after due Inquiry and Examination, frame a Draft Award setting forth the Price or Compensation to be paid by the Commissioners in respect of the several Interests in the Lands so required or injuriously affected, and also what Abatement (if any) shall be made in the Rents payable out of the Land named and described in the Award, or any Land held under the same Lease or Instrument in conjunction therewith; and where any Inquiry relates not only to the Value of the Lands to be purchased, but also to Compensation claimed for Injury done or to be done to any Lands, the Arbitrator shall award separate and distinct Sums to be paid for the Purchase of such Lands, or of any Interest therein, to which the Inquiry may relate, and for the Damage (if any) to be sustained by reason

reason of the severing of the Lands taken from the other Lands, or otherwise injuriously affecting such other Lands by the Exercise of the Powers of the Commissioners; and such Draft Award and Copies thereof shall be deposited with the Clerk of the Peace of every County in which such Lands or any Part thereof may be situate; and the Arbitrator shall cause Notice of such Award to be given to all Persons entitled to Payment or Compensation under the same, or who shall have been heard before such Arbitrator as Claimants for Compensation, and shall in such Notice appoint a Time and Place or Times and Places for holding a Meeting or Meetings to hear Objections against such Draft Award (the First such Meeting to be not earlier than Fourteen Days after the last Day of giving such Notice), and shall hold such Meeting or Meetings accordingly, and thereat hear and determine any Objections which may then and there be made to such Draft Award by any Person interested therein, or adjourn the further Hearing thereof, if the Arbitrator see fit, to a future Meeting, and may take any Measures which he may deem proper for ascertaining the Value of any such Lands or Interests as aforesaid, or the Justice or Propriety of any other Matter of such Draft Award, and may from Time to Time, if he see Occasion, appoint and hold further Meetings for hearing and determining Objections to such Draft Award, of which further Meetings when not holden by Adjournment Notice shall be given in manner herein-before directed; and when the Arbitrator has heard and determined all such Objections, and made such Inquiries as he may think necessary in relation thereto, and made such Alterations (if any) as he may deem proper in the Draft Award, he shall make his Award under his Hand and Seal accordingly; and every such Award shall be binding and conclusive, subject to the Provisions concerning Traverse herein-after contained, upon all Persons whomsoever; and no such Award shall be set aside for Irregularity in Matter of Form; and every such Award shall be deposited with the Commissioners, and a Copy thereof shall be deposited with the Clerk of the Peace for every County in which such Lands or any Part thereof may be situate; and the Commissioners shall thereupon, in all Cases where it shall appear to them necessary so to do, require all Persons claiming to have any Right to or Interest in the Lands, the Price or Compensation to be paid in respect of which is ascertained by such Award, to deliver to the Commissioners, on or before a Day to be named by them (such Day not to be earlier than Fourteen Days from the Date of such Requisition), a short Abstract of the Title to the Interest in respect of which the Award is made, and such Abstract shall be paid for by the Commissioners, and all Sums so paid shall form Part of the Expenses incidental to the Execution of the Works in the District to which the Arbitration may relate.

Remuneration of Arbitrator.

XIX. The Salary or Remuneration, travelling and other Expenses of the Arbitrator, including all Costs reasonably and properly incurred by him, shall be paid by the Commissioners, and the Amount of such Costs, Charges, and Expenses shall from Time to Time be included in and form Part of the Expenses incidental to the Execution of the Works in the Districts in relation to which such Expenses shall be incurred, and shall be defrayed accordingly.

Arbitrator may direct by whom Costs to be paid.

XX. It shall be lawful for the Arbitrator, where he thinks fit, on the Application of the Commissioners or of the Claimant, to adjudicate by whom the Costs of such Arbitration shall be borne, and to certify the Amount of the Costs properly payable to the Party entitled thereto in relation to the Arbitration, and the Amount of the Costs so certified shall be paid by the Commissioners or the Claimant as the said Arbitrator may award.

Party dissatisfied with Award may enter a Traverse.

XXI. Where the Party named in any Award under the Provisions herein-before contained (or any Party claiming under the Party so named) shall be dissatisfied with the Amount in such Award stated to be payable, it shall be lawful for such Party, at the Assizes for the County in which the Lands are situate, or where the Lands are situate in the County of *Dublin*, or County of the City of *Dublin*, in the Term next following the making of the Award, or where such Assizes are holden or such Term begins within less than Thirty Days after the making of the Award then at the next subsequent Assize or in the next subsequent Term (as the Case may be), upon giving Fifteen Days Notice in Writing previously to such Assizes or Term respectively to the Secretary of the Commissioners of the Amount intended to be claimed, to have a Traverse for Damages entered in the Crown Book in respect of such Claim, and which Traverse shall be entered as follows: "In the Matter of Traverser, the Proprietors of Lands "in the Drainage District of Respondents," and thereupon such Traverse shall be tried in like Manner, and like Proceedings shall be had and subject to the like Provisions, as far as the same can be applied, as in the Case of Traverses entered for Damages under the Acts for consolidating and amending the Laws relating to the Presentment of Public Monies by Grand Juries in *Ireland*: Provided always, that the Sum to be awarded or allowed as the Costs, Charges, and Expenses of the Trial of every such Traverse for Damages shall in no Case exceed the Sum of Ten Pounds, and further, that no Party shall have any other Remedy for the Purpose of impeaching the Amount of any Price or Compensation ascertained by any such Award as aforesaid other than by means of such Traverse as aforesaid, anything in any Act to the contrary notwithstanding: Provided also, that the Jury which shall try such Traverse shall be sworn

sworn a true Verdict to give whether any and what Damages will be sustained by the Traverser, regard being had to the Value of the Lands of such Traverser required, and to the Injury to any Lands of such Traverser injuriously affected by the Works of the Commissioners, and also regard being had in Cases of Mills or Factories to any Benefit resulting or which may result from any Improvement which shall be effected by the Execution of the Works in the Water Power of or Constancy of Supply of Water to such Mill or Factory, or by Relief from Back Water afforded to it.

Commissioners may convene a Meeting of Proprietors for electing a Standing Committee.

XXII. For the Purpose of the Protection of the Interests of the Proprietors in any Drainage District it shall be lawful for the Commissioners to call a Meeting of the Proprietors of the Land included in such District to make Choice of a Standing Committee to represent such Proprietors on any Arbitration, Trial of Traverse, or Proceeding under the said Acts or this Act, and such Meeting shall be convened by not less than Fourteen Days Notice in some Newspaper circulating in the County or Counties in which such District may be situate, and at such Meeting the Proprietors then present, or their known Agents, or such of the said Proprietors or Agents as may represent the greater Portion of the Lands belonging to the whole Number of Proprietors, who or whose Agents shall be present at such Meeting, shall elect not less than Three nor more than Thirteen Persons from among the Proprietors of Land in such District, or their known Agents, to be such Committee as aforesaid, and the Names of the Persons so elected shall be certified to the Commissioners under the Hand of the Chairman or Person presiding at such Meeting, and shall be transmitted to the Commissioners at their Office in *Dublin*, and there preserved; and any Document purporting to be a Copy of any such Certificate, signed by the Commissioners or their Secretary for the Time being, shall be received in Evidence as a true Copy of such Certificate, and of the Validity of the Original of which the same purports to be a Copy, and of the due Election according to this Act of the Persons named therein.

In case of Default of Proprietors, Commissioners may appoint such Committee.

XXIII. In case of Default on the Part of the Proprietors to meet, pursuant to such Notice as aforesaid, or at such Meeting to elect such Committee as aforesaid, or in case such Certificate as aforesaid of such Election be not transmitted to the Commissioners within Seven Days after the Time appointed for such Meeting, it shall be lawful for the Commissioners, if they see fit so to do, by Writing under their Hands, to appoint such Committee as aforesaid; and any Document purporting to be a Copy of any such Appointment, signed by the Commissioners or their Secretary for the Time being, shall be received in Evidence of such Appointment and of the Validity thereof.

XXIV. In

Committee may appear upon Arbitration, Trial of Traverse, &c.

XXIV. In case any Member of a Standing Committee appointed as aforesaid shall die, resign, or become incapable to act, it shall be lawful for a Majority of the surviving or continuing Members of such Committee to appoint a Person to act in the Place and Stead of such Member so dying, resigning, or becoming incapable to act, and in default of such Appointment for the Space of Two Months it shall be lawful for the Commissioners to appoint a Person instead of the Member so dying, resigning, or becoming incapable to act.

On Neglect of Committee, Commissioners may appoint a Person to represent them.

XXV. The Commissioners or their Secretary shall, upon any Summons or Notice being served on or given to them or him in relation to any Arbitration, Traverse, or other Proceeding under the said Acts or this Act, forthwith communicate the same to the Committee elected or appointed for the District as herein provided; and such Committee may appear upon such Arbitration, or the Trial of such Traverse, or such other Proceeding, by any Counsel, Solicitor, or Agent to be appointed by them for such Purpose.

Filling up Vacancies in Committee.

XXVI. Upon any Arbitration or the Trial of any Traverse or other Proceeding under the said Acts or this Act, in case the said Committee neglect to appoint a Counsel, Solicitor, or Agent to represent them on such Arbitration, Trial of Traverse, or other Proceeding, it shall be lawful for the Commissioners, if they see fit, to appoint some Counsel, Solicitor, or Agent for that Purpose.

Expenses of employing Counsel, &c., to be Part of the Expenses in the District.

XXVII. The Expenses attending the Employment of any Counsel, Solicitor, or Agent, or any Clerk, appointed by any such Committee as aforesaid, or by the Commissioners as herein-before provided, when taxed and ascertained by the Commissioners, may be paid by them, and the same shall form Part of the Expenses incidental to the Works in the District in respect of which such Employment may take place, and be paid for accordingly.

Receipt to be given for Purchase Money or Compensation, and Receipt for Purchase Money to operate as a Conveyance.

XXVIII. Anything in the said Acts to the contrary notwithstanding, in every Case in which any Monies are paid by the Commissioners under the Provisions of the said Acts or this Act for such Purchase or Compensation as aforesaid, the Party receiving such Monies shall give to the Commissioners a Receipt for the same; and such Receipt for any Purchase Money shall have the Effect of a Grant, Release, and Conveyance of all the Estate and Interest of such Party, and of all Parties claiming under or through him, in the Lands in respect of which such Monies are paid, so as such Receipt shall have an *ad valorem* Stamp of the same Amount impressed thereon in respect of the Purchase Monies mentioned in such Receipt (but exclusive of the Amount

Amount of Compensation for Damage by Severance or other Injury) as would have been necessary if such Receipt had been an actual Conveyance of such Estate or Interest, every such Receipt to be prepared by and at the Costs of the Commissioners, and be charged and defrayed in like Manner as the Purchase Money or Compensation for which such Receipt shall be given.

Provisions concerning Compensation for Land to extend to Interference with Mills, &c.

XXIX. The Provisions herein contained for ascertaining the Amount of Purchase or Compensation Money to be paid in respect of Land taken for or injuriously affected by any Works made under the said Acts and this Act, shall extend and be applicable to and for the ascertaining the Amount of Purchase Money, Satisfaction, or Compensation, or Damages to be paid for or in respect of any Mill, Dam, River, Water Power, or other Matter or Thing which the Commissioners are by the said Acts or this Act authorized to purchase or interfere with for the Purpose of any Works executed by them.

Power of Entry for executing Works pending Proceedings for Purchase or ascertaining Compensation.

XXX. For the Purposes of the said Acts and of this Act the Commissioners, or any Engineer, Workman, or other Person authorized by them, at any Time pending the Purchase or ascertaining of the Price or Compensation of any Land, Mill, or Hereditament, and after Three Days previous Notice in Writing given to the Party in occupation, may enter upon and into such Land, Mill, or Hereditament for the Purpose of executing any Works by the said Acts or this Act authorized, or doing any other Act, Matter, or Thing required in the Opinion of the Commissioners for carrying fully into effect the Purposes of the said Acts or of this Act.

Power to dig for Materials.

XXXI. The Commissioners, or any Engineer, Workman, or other Person authorized by them, after Three Days previous Notice in Writing given to the Party in Occupation, may enter into and search for, dig, take, and carry away Materials out of any Land for the Purpose of executing or repairing any Works, making such Compensation for the Surface Damage done to the Proprietors, Lessees, or Occupiers of such Lands according to their respective Interests therein as shall be agreed on; but in all Cases where the Commissioners shall take Materials from an open Quarry *bonâ fide* demised to any Person, with Liberty to raise, sell, and dispose of the Materials therein, the Value of such Materials shall be paid for by the Commissioners as shall be agreed on; and in case of Dispute concerning the Amount of such Compensation for Damages, or the Value of such Materials, such Compensation or Value shall be settled, on a Summons to be issued for that Purpose by the Party claiming such Compensation or Value by any One or more Justice or Justices of the Peace for such County in which such Land is situate at Petty Sessions; and

Service of such Summons on the Engineer of the Commissioners in charge of the Works in the District for the Purpose of which such Materials shall be taken shall be sufficient: Provided always, that no such Summons shall issue or be proceeded on until the whole Extent of the Damage to be done by the Commissioners, or the whole of the Materials to be taken by them, shall be ascertained.

Summary Proceedings to be deemed to authorize Interference with Mills.

XXXII. It is hereby declared, that all the Provisions contained in the said Acts of the Ninth and Tenth Years of Her Majesty, Chapter Four, and of the Tenth and Eleventh Years of Her Majesty, Chapter Seventy-nine, respecting the summary Course of Procedure by the said Acts provided, shall be deemed to authorize and justify and to have authorized and justified the Commissioners in interfering and dealing with all Mills and Factories, and the Water Power thereof, according to the said summary Course of Procedure by the said Acts provided, in such Manner as by the Commissioners may be or have been considered requisite for enabling them to carry on the Works under the said Acts and this Act, and for the due Execution thereof: Provided always, that nothing herein contained shall extend to prejudice or affect any Proceedings in any Court of Law or Equity had or commenced before the passing of this Act.

Remedy by summary Application to the Court of Chancery in the event of Commissioners failing to secure the due Amount of Water Power to the Owner of any Mill or Factory.

XXXIII. Any Person interested in any Mill or Factory permanently affected or proposed to be permanently affected by anything done or proposed to be done under the Provisions of the said Acts or of this Act may apply by Petition in a summary Way to the Court of Chancery, complaining that the due Amount of Water Power has not been properly secured to or for such Mill or Factory, or that any Act has been done or has been threatened or proposed to be done by the Commissioners, or by any Person acting or pretending to act under the Provisions of this Act, by which permanent Injury has been or may be sustained by such Mill or Factory, or by such Person so interested in respect thereof, and whether the Act complained of has been authorized by this Act or otherwise, and thereupon such Court shall make such Order directing such Proceedings as shall seem proper before One of the Masters of such Court in relation to the Matter of the said Petition; and upon the Report of such Master it shall be lawful for such Court to direct such Works to be made by such Commissioners as to such Court of Chancery shall seem necessary or proper, and to make from Time to Time such further or other Order, whether for Compensation to any Party interested in such Mill or Factory, or for restraining the Commissioners or any other Person from doing any Act or otherwise, as to such Court shall seem just, and to issue any Writ or Writs of Injunction for any of the Purposes aforesaid for which the same may be required, and such Court shall have Power

Power to award Costs to either Party: Provided always, that such Petition shall be presented within Six Months after the Act complained of.

Commissioners and Trustees may proceed for Maintenance Rates.

XXXIV. The Commissioners and the Trustees having the Maintenance of any Works executed under the said Acts or this Act shall have the same Powers, Rights, and Remedies to enforce Payment of the Rates at any Time heretofore or hereafter to be imposed by the Commissioners or such Trustees under the Powers of the said Acts as are in and by the said Acts given to the Commissioners for Recovery of the Sums or Instalments charged under their final Award; and the Trustees in all Cases where it may be necessary to take any Proceedings in Recovery of any such Rate or otherwise may sue in the Names of Two of them.

Rents may be increased by separate Instrument.

XXXV. It shall be lawful for the Commissioners where they see fit, on determining, under the said Act of the Fifth and Sixth Years of Her Majesty, the Amount of increased Rent to be paid in respect of any Land drained or improved as therein mentioned, to signify their Decision by a separate Instrument.

Parties entitled to Purchase Money, Compensation, or Damages to have same ascertained as herein provided.

XXXVI. In all Cases where any Person shall consider himself entitled to be paid Compensation or Damages for or by reason of any Act or Omission by or on the Part of the Commissioners, or for or by reason of any Works or Acts whatsoever done or professed to be done by the Commissioners under the Authority or in pursuance of the Provisions of the said Acts or of this Act, such Person (save as herein-before provided) shall not be entitled to proceed at Law or in Equity for or in respect of the same, but the Right to such Compensation or Damages, and the Amount thereof, shall be ascertained in the Manner herein-before provided, and not otherwise, anything in the said Acts contained notwithstanding.

Commissioners may remove any insufficient Bridge, erecting a temporary Bridge.

XXXVII. Anything in the said first-recited Act to the contrary notwithstanding, if any existing Bridge, Culvert, or Archway for the Discharge of Water under any public Road shall in the Opinion of the Commissioners be insufficient for the free Discharge of such Water, and shall by reason of such Insufficiency cause or tend to cause the flooding of any Land to be drained or improved by the Works of the Commissioners, it shall be lawful for the Commissioners to take down and remove such Bridge, Culvert, or Archway, the Commissioners constructing a temporary Bridge, Culvert, or Archway in the Place of that so to be taken down and removed, and supporting and maintaining the same for the Space of Twelve Months, the Expense of the taking down and Removal of such Bridge, Culvert, or Archway, and constructing, supporting, and maintaining such temporary Bridge,

Bridge, Culvert, or Archway, to form Part of the Costs of the Works in the District within which any such Bridge, Culvert, or Archway may be situate: Provided always, that before proceeding to remove any such Bridge, Culvert, or Archway the Commissioners shall cause Thirty-one Days Notice to be given to the County Surveyor of the County or of each County (if more than One) in which such Bridge, Culvert, or Archway shall be wholly or in part situate, stating the Intention of the Commissioners to remove such Bridge, Culvert, or Archway, and communicating such precise Information, including a detailed Plan and Cross Section of the River or Stream over which a new Bridge, Culvert, or Archway is to be built, as may be requisite to show the Dimensions of the Waterway of such new Bridge, Culvert, or Archway, for the Purpose of enabling the County Surveyor to prepare a proper Plan, Specification, and Estimate for such new Bridge, Culvert, or Archway, and the Surveyor of any such County to whom such Notice shall be given shall at the next Assizes after the Receipt of such Notice lay the same, together with a proper Plan, Specification, and Estimate for such new Bridge, Culvert, or Archway, before the Grand Jury of such County.

Grand Jury to present for new Bridge.

XXXVIII. The Grand Jury of the County in which any such new Bridge, Culvert, or Archway shall be required to be built or constructed is hereby authorized and required (without any Application to Presentment Sessions) to present the Amount necessary for the building of such Bridge, Culvert, or Archway according to such Plan, Specification, and Estimate as aforesaid, or such other Plan, Specification, and Estimate as such Grand Jury may approve, and the Grand Jury of such County shall thereupon appoint a Committee of not less than Three or more than Five Persons, any Three of whom shall be a Quorum, to contract and agree with any Party or Person willing to undertake the building of such Bridge, Culvert, or Archway, or the said Grand Jury may authorize and direct that the said Bridge, Culvert, or Archway may be built and constructed, out of the Money so presented, under the immediate Superintendence and Direction of the County Surveyor of such County.

Where any new Bridge, &c. is formed over a Stream between Two Counties, each to pay equal Moieties.

XXXIX. Where any such new Bridge, Culvert, or Archway shall be over any River or Stream forming a Boundary between Two Counties, the same shall be built or constructed at the Expense of such Two Counties in equal Moieties; and the Grand Jury of each such County shall (without any Application to Presentment Sessions) present the Moiety of the Sum necessary for building or constructing such new Bridge, Culvert, or Archway, and appoint a Committee, as herein-before provided in the Case of One County; and the Committees so appointed shall meet and act as a joint Committee, for

for the Purpose of contracting as aforesaid for the building or constructing of such new Bridge, Culvert, or Archway, at the joint Expense of the said Counties, as aforesaid; and in case both or either of such Grand Juries shall neglect to make such Presentment and appoint such Committees as aforesaid, or in case both or either of such Committees shall neglect to contract for the Construction of such Bridge, Culvert, or Archway, or if from any other Cause such Bridge, Culvert, or Archway shall not be built or constructed within Twelve Months after such Notice by the Commissioners to the Surveyor of each County, as herein-before provided, it shall be lawful for the Commissioners to have such new Bridge, Culvert, or Archway built in such Manner as to them shall seem sufficient, and by a Certificate under their Hands and Seals to signify to the Secretary of the Grand Jury of each such County the Amount of the Moiety of the Expenses incurred by them in building or constructing such Bridge, Culvert, or Archway, and the Secretary of the Grand Jury of each such County shall lay such Certificate before the Grand Jury of such County at the Assizes to be held for such Counties respectively next after the Receipt of such Certificate, and thereupon the Grand Jury of each such County shall (without any Application to Presentment Sessions) present the Amount mentioned in such Certificate, to be levied off such County immediately after such Assizes, and to be paid to the Commissioners; and in case the Grand Jury of any such County shall neglect or refuse to present the Sum so mentioned in such Certificate the Judge of Assize shall make an Order directing that the Treasurer for such County shall insert such Sum in his Warrant, and the same shall be levied off such County in the same Manner as if the same had been presented by such Grand Jury.

Foregoing Provisions applicable where Bridges have been already removed.

XL. In all Cases where before the passing of this Act any Bridge, Culvert, or Archway has, in the Execution of any Works under the said Acts, been removed by the Commissioners, and a new permanent Bridge, Culvert, or Archway has not been built or constructed or commenced, the Commissioners shall, as soon as conveniently may be after the passing of this Act, give Notice to the County Surveyor of any or every County in which any such Bridge, Culvert, or Archway so removed was wholly or in part situate, containing the like Information, for the building or constructing of such new Bridge, Culvert, or Archway, as herein-before required in the Case of a Bridge, Culvert, or Archway hereafter removed; and the Provision herein-before contained for rebuilding or re-constructing any Bridge, Culvert, or Archway upon Notice of any existing Bridge, Culvert, or Archway being about to be removed, shall be applicable for the rebuilding or Re-construction of any such Bridge, Culvert, or Archway so already removed as aforesaid.

 XLI. For

Trustees having Maintenance of Works to appoint a Superintendent.

XLI. For the Purpose of more effectively preserving and maintaining the Works executed by the Commissioners under the said Acts, the Trustees for the Time acting under the said Acts for such Purposes in any District shall meet in the Month of *February* in every Year, and at such other Times as they think fit, and shall appoint the County Surveyor or any other competent Person to be the Superintendent of the Works in such District, at such Salary, to be paid out of the Rates imposed by such Trustees, as they may think proper, and such Superintendent shall, in the Month of *February* in each Year, and from Time to Time as Occasion may require, report to the said Trustees the State of the whole of the principal Rivers and Main Drains forming Part of the Works improved or executed in such District, and whether any and what Repairs or Works are necessary for cleansing and preserving the same, and shall generally direct the carrying into effect of such Works as the Trustees may from Time to Time direct and approve for the Purposes aforesaid.

Proprietors or Occupiers may complain to Superintendent.

XLII. In case any Proprietor or Occupier of Land within any such District shall complain to such Superintendent of any Injury to the Works or Obstruction to the free Discharge of the Waters in such District, it shall be lawful for the Party so complaining to require such Superintendent to examine into the Matter so complained of, and to make his Report to the Trustees thereon; and thereupon it shall be lawful for the Trustees or any Two of them, if they see fit, on receiving such Report, to require that such Injury shall be remedied or such Obstruction removed by such Superintendent.

Parties may appeal to Petty Sessions.

XLIII. In case the Trustees shall decline or refuse to have the necessary Works executed for the Removal of such Injury or Obstruction, it shall be lawful for the Party complaining to apply in a summary Way to the Justices assembled at the next Petty Session for the District in which the Cause of Complaint may arise, and thereupon such Justices shall proceed to hear the Matter of such Complaint and make such Order thereon as to such Justices shall seem proper, and thereby (if they see fit) to authorize and require such Superintendent to remove such Injury or Obstruction, and thereupon such Superintendent shall remove the same in like Manner as if the same had been authorized and directed by the said Trustees.

Acts to be construed as One Act.

XLV. The several Acts mentioned in this Act and this Act shall be construed together as One Act; and the several Words and Expressions to which an extended Signification is given in the said Acts, or any of them, shall have the like Signification in this Act; and (save where such Construction would be inconsistent with the Context) the Expression "the Commissioners," where used in this Act, shall mean the Commissioners of Public Works in *Ireland*.

Interpretation of "the Commissioners."

The

The SCHEDULE to which the foregoing Act refers.

Date of Act.	TITLE.	Extent of Repeal.
5 & 6 Vict. c. 89.	An Act to promote the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in Ireland.	Sections 52. 54. 65. 66. 70. 71. 72. 73. 74. 75. 84. 105. 129.
9 Vict. c. 4. -	An Act to amend the Acts for promoting the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in Ireland; and to afford Facilities for increased Employment for the Labouring Classes in Works of Drainage during the present Year.	Section 41.

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

CAP. CXXXI.

An Act to amend various Laws relating to Merchant Shipping. [20th *August* 1853.]

WHEREAS it is expedient to amend various Laws relating to Merchant Shipping: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Interpretation of Terms in this Act.

I. In the Construction of this Act the following Words and Expressions shall have the Meanings hereby assigned to them, if not inconsistent with the Context or Subject Matter; (that is to say,)

The Expression "Board of Trade" shall mean the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations:

The Word "*Trinity House*" shall mean the Master, Wardens, and Assistants of the Guild, Fraternity, or Brotherhood of the Most Glorious and Undivided Trinity and of *Saint Clement* in the Parish of *Deptford Strond* in the County of *Kent*, commonly called the Corporation of *Trinity House of Deptford Strond*;

The Expression "Commissioners of Northern Lighthouses" shall mean the Commissioners in whom the Management of *Scotch* Lighthouses is vested by the Act of the Twenty-sixth Year of the Reign of King *George* the Third, Chapter One hundred and one, and by various other Acts:

The

Preliminary.

The Expression "the Port of *Dublin* Corporation" shall mean the Corporation for preserving and improving the Port of *Dublin*:

The Word "Lighthouse" shall include Lighthouse, Light, Floating Light, Beacon, Buoy, or other Mark, Sign, or Signal of the Sea:

The Word "Lighthouse Tolls" shall include every Species of Duty or Payment payable by Owners or Masters of Ships or otherwise received in respect of Lighthouses:

The Word "Ballastage Rates" shall include all Rates and other Monies received by the *Trinity House* in respect of their exclusive Right of supplying Ballast to Vessels in the River *Thames*, under the local Act of the Seventh Year of Her present Majesty, Chapter Fifty-seven, for the Regulation of Lastage and Ballastage in the River *Thames*, or otherwise:

The Expression "Consular Officer" shall include Consul General, Consul, and Vice-Consul, and any Person for the Time being discharging the Duties of Consul, Consul General, or Vice-Consul:

The Word "Owner," when applied to a Ship, shall include all the Persons, if more than One, to whom the Ship belongs, and shall also, if the Master and Crew are the Servants of the Charterer or Charterers, include such Charterer or Charterers:

The Word "Master" shall include every Person (except a Pilot) having Command or Charge of a Ship:

The Word "Seaman" shall include every Person (except Masters and Pilots) employed or engaged to serve in any Capacity on board any Ship:

The Word "Salvor" shall mean the Person or Persons in command of any Ship or Ships by which, or by the Crews or any Part of the Crews of which, Salvage Services are rendered:

The Word "Ship" shall include every Seagoing Vessel:

The Expression "Her Majesty's Dominions" shall include Her Majesty's Dominions strictly so called, and all Territories under the Government of the *East India* Company, and all other Territories, if any, governed by any Charter or Licence from the Crown or Parliament of *Great Britain*, and the *Ionian* Islands.

Short Title.

II. This Act may be cited as "The Merchant Shipping Law Amendment Act, 1853."

Commencement of Act.

III. This Act shall come into operation on the First Day of *October* One thousand eight hundred and fifty-three.

IV. And whereas the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation receive, under various Acts of Parliament, Grants, and Charters, certain Lighthouse

Lighthouse Tolls, and the said *Trinity House*, in respect of their exclusive Right of supplying Vessels in the River *Thames* with Ballast, receive certain Ballastage Rates under the said Act of the Seventh Year of Her present Majesty, Chapter Fifty-seven: And whereas the Board of Trade receive certain Fees and other Payments under "The Mercantile Marine Act, 1850," "The Mercantile Marine Act Amendment Act, 1851," and "The Steam Navigation Act, 1851:" And whereas the *Trinity House* have, so far as relates to the said Tolls and Rates so received by them, agreed that the Account thereof shall be kept at the Bank of *England*, and that certain Regulations shall be adopted for the Purpose of reducing the same from Time to Time as the Requirements of the Services for which they are levied will permit, and for the Purpose of subjecting the Receipt and Expenditure thereof to effective Supervision and Control: And whereas it is expedient that the whole of the aforesaid Tolls, Rates, Fees, and Payments should be made subject to similar Regulations with a view to the Supervision and Control of the Receipt and Expenditure thereof, and to the Application thereof to the several Services in respect of which they are paid, and to the Reduction thereof respectively whenever Circumstances will permit: Be it enacted, That all Lighthouse Tolls received by or on account of the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation respectively, and all Ballastage Rates received by the *Trinity House*, and all Fees or Payments received by the Board of Trade under the several Acts herein-before mentioned in that Behalf, shall be carried to One aggregate Fund, to be called "The Mercantile Marine Fund;" and such aggregate Fund shall be applicable to the Purposes of the Services in respect of which the said Tolls, Rates, Fees, and Payments are levied, and to the Execution of Works necessary or expedient for permanently reducing the Expense of such Services, and, save as herein-after specially mentioned, to no other Purposes whatever.

Light Dues and other Dues on Shipping.

6 & 7 Vict. c. lvii. (Local and Personal.) 13 & 14 Vict. c. 93., 14 & 15 Vict. c. 96., 14 & 15 Vict. c. 79.

The Light Dues payable to the Trinity House, Northern Light Commissioners, and Ballast Board, and the Ballast Rates of the Trinity House, to form the Mercantile Marine Fund.

V. An Account of the said Fund, to be entitled "The Mercantile Marine Fund Account," shall be opened with Her Majesty's Paymaster General; and the said Paymaster General shall keep separate Accounts of the several Monies so received as aforesaid by the said several Bodies respectively, and shall also keep separate Accounts of the Monies received by the *Trinity House* for Lighthouse Tolls and Ballastage Rates respectively, and shall keep the Accounts of all Monies received by the *Trinity House* in such Names as the *Trinity House* may from Time to Time appoint; and all Monies received on account of such Tolls, Rates, Fees, or Payments as aforesaid after the Time at which this Act comes into operation, and all Cash Balances arising from such Tolls, Rates, Fees, or Payments which at that Time are in the Hands of the *Trinity House*, the Commissioners

Account of the said Fund to be kept by Her Majesty's Paymaster General.

Light Dues and other Dues on Shipping.

missioners of Northern Lighthouses, the Port of *Dublin* Corporation, or the Board of Trade, shall, as the Board of Trade may direct, either be applied to defray Expenses, or be remitted to the said Paymaster General to be placed to the Credit of the said Mercantile Marine Fund Account; and all Investments arising from any such Tolls as aforesaid which at the Time when this Act comes into operation are in the Hands of the Commissioners of Northern Lighthouses or of the Port of *Dublin* Corporation shall be sold, and the Produce thereof shall be applied and remitted in like Manner; and all Monies so remitted shall, so far as regards the Application thereof, be treated as forming One aggregate Fund, and shall be from Time to Time transferred and applied as the Board of Trade may direct for all or any of the Purposes specified in this Act.

Establishments for Lighthouses and Ballastage charged on the Mercantile Marine Fund to be fixed by Her Majesty in Council.

VI. Her Majesty may from Time to Time, by and with the Advice of Her Privy Council, fix the Establishments to be maintained by the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation respectively on account of the Services of Lighthouses, and to be maintained by the *Trinity House* on account of the Services to which the said Ballastage Rates are to be applied aforesaid, or the annual or other Sums to be paid out of the said Mercantile Marine Fund in respect of such Establishments; and if it appears that any Part of the Establishments of the *Trinity House*, or of the Commissioners of Northern Lighthouses, or of the Port of *Dublin* Corporation respectively is maintained for the Purposes of this Act, and also for other Purposes, to fix and from Time to Time alter the Portion of the Expense of such Establishments to be paid out of the said Mercantile Marine Fund; and no Increase of any Establishment or Part of an Establishment so fixed shall be made without the Consent of the Board of Trade.

Estimates and Accounts for other Expenses to be approved by the Board of Trade.

VII. The *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation respectively shall from Time to Time submit to the Board of Trade Estimates of all Expenses in respect of the Services aforesaid, other than the Establishment Expenses for the Time being allowed by Order in Council as aforesaid; and shall also, whenever in providing for any sudden Emergency it is necessary to incur Expense in respect of such Services without waiting until an Estimate can be sanctioned, as soon as possible send to the Board of Trade a full Account of such Expense; and the Board of Trade shall consider and may approve such Estimates and Accounts, either with or without Variation.

No Expense to be allowed unless sanc-

VIII. No Expense of the said *Trinity House*, the Commissioners of Northern Lighthouses, or the Port of *Dublin* Corporation in respect of

Light Dues and other Dues on Shipping.

of the said Services shall be paid out of the said Mercantile Marine Fund, or allowed in Account, other than the Sums so allowed for Establishment Expenses as aforesaid, or included in Estimates of Accounts approved by the Board of Trade.

tioned by Board of Trade.

IX. For the Purpose of the Erection and Repairs of Lighthouses, and of other extraordinary Expenses connected with the said Services or any of them, the Commissioners of Her Majesty's Treasury are authorized from Time to Time, upon the Application of the Board of Trade, to advance out of the growing Produce of the Consolidated Fund of the United Kingdom such Sums of Money, upon such Terms, and at such Rate of Interest as they may think fit, and to pay the same into the said Mercantile Marine Fund Account, so nevertheless that the whole Sum for the Time being due in respect of such Advances shall never at any One Time exceed Two hundred thousand Pounds; and upon any Advance being so made, the Sum so advanced and the Interest shall be a Charge on the said Mercantile Marine Fund, and upon the Tolls, Rates, Fees, and Payments so to be carried thereto as aforesaid; and the Board of Trade shall make such Provision for the Repayment thereof out of the said Fund, either by forming a Sinking Fund or otherwise, as the said Commissioners may require; provided that no such Advance shall prevent any lawful Reduction of any of the said Tolls, Rates, Fees, or Payments if such Reduction be assented to by the said Commissioners.

For the Purpose of erecting and repairing Lighthouses, &c., Treasury may advance Money.

X. The Board of Trade may also, for the Purpose last aforesaid, raise Money by mortgaging the said Mercantile Marine Fund, and the several Tolls, Rates, Fees, and Payments so to be carried thereto as aforesaid, or any of them, or any Part thereof, to any Body Corporate or Person; and every such Mortgage shall be in such Form, and under the Hand and Seal of such Person or Persons, as the President of the said Board for the Time being may direct; and no Body Corporate or Person lending Money upon any such Mortgage shall be bound to see to the Purpose for which the same is raised, or to the Mode in which it is applied.

Power to Board of Trade to borrow Money on the Credit of the Fund.

XI. Upon the Erection of any new Lighthouse Her Majesty may by Order in Council fix such Toll in respect thereof to be paid by the Master or Owner of every Ship which passes the same or derives Benefit therefrom as Her Majesty may deem reasonable, and may from Time to Time alter the Amount thereof; and such Toll shall be paid and collected in the same Manner, by the same Means, and subject to the same Conditions in, by, and subject to which the Lighthouse Tolls mentioned in the Act of the Seventh Year of King *William* the Fourth, Chapter Seventy-nine, are paid and collected.

Her Majesty may, by Order in Council, fix Tolls to be taken for new Lighthouses.

XII. All Debts and Liabilities which have been duly incurred or undertaken by the *Trinity House*, the Commissioners of Northern Lighthouses,

Provision for existing Debts and Charges.

Light Dues and other Dues on Shipping.

Lighthouses, and the Port of *Dublin* Corporation respectively, before the passing of this Act, and which are such as if this Act had not been passed ought to have been paid out of the said Tolls and Rates, shall be paid or provided for out of the said Mercantile Marine Fund; and all Expenses of the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation, in respect of any charitable or other Pensions, Superannuations, or other Allowances which have been lawfully granted or allowed by them respectively before the passing of this Act, and which are such as if this Act had not been passed ought to have been paid out of the said Tolls and Rates, shall be paid out of the said Mercantile Marine Fund during the respective Lives or Continuance in Office of the Persons receiving the same, or other Periods for which the same may have been granted or allowed; and if it appear that any Debts or Liabilities so incurred as aforesaid, or any of the Expenses in respect of charitable or other Pensions, and Superannuation or other Allowances, are Debts, Liabilities, or Expenses which if this Act had not been passed would have been paid partly out of the said Tolls and Rates and partly from other Sources, such Part thereof as the Board of Trade shall under the Circumstances of the Case think just shall be paid out of the said Mercantile Marine Fund; and the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation respectively shall submit to the Board of Trade Statements of all such Debts and Liabilities, and of all such Expenses or Parts of Expenses in respect of charitable or other Pensions, Superannuations or other Allowances, as are to be paid out of the said Mercantile Marine Fund, and also Estimates of the Sums which may be from Time to Time required to provide for the same; and no Payment in respect of any such Debt, Liability, or Expense shall be made out of the said Mercantile Marine Fund unless provided for by such Estimates, and approved by the Board of Trade.

Power to commute Pensions and grant Superannuation Allowances.

XIII. The *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation may from Time to Time, with the Sanction of the Board of Trade, commute any charitable or other Pensions or other Allowances payable out of the said Mercantile Marine Fund, or grant Superannuations or Compensations to Persons whose Salaries may be charged on the said Fund, and who may be discharged or may retire, so nevertheless that no Superannuation Allowance or Compensation to any Person so discharged or retiring shall exceed the Proportion of his Salary which might be granted under similar Circumstances to a Person in the Public Civil Service under the Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four, or under any other Act for regulating such Superannuation Allowances or Compensations for the Time being in force; and such Commutations, Superannuations, and Compensations shall from Time to Time be included in

in the Estimates to be submitted as aforesaid, and paid out of the said Fund.

Light Dues and other Dues on Shipping.

XIV. And whereas the Monies arising from Ballastage Rates are derived from local Sources, and it is expedient that the same should be applied for local Purposes: Be it enacted, That, subject to the Payment of such Proportion of the Debts, Liabilities, and Expenses herein-before mentioned as may in the Opinion of the Board of Trade be fairly chargeable thereon, such Monies shall be applicable only to Services performed for the Purpose of supplying Ballast to or providing for the Safety or Convenience of such Ships as navigate the said River *Thames*, and the Seas and Channels leading thereto between *Orfordness* on the North and *Dungeness* on the South: Provided that if, in addition to the Duties hitherto performed in consideration of the said Ballastage Rates, the *Trinity House*, at the Request or with the Consent of the Owners or Masters of or Agents for any Ships, undertake to place Ballast on board thereof, or to unload Ballast therefrom, they shall be entitled to charge for such additional Duties such reasonable additional Rate *per* Ton for Ballast so placed on board or unladen as Her Majesty by Order in Council may from Time to Time approve.

Application of Ballastage Rates.

XV. Her Majesty may, by and with the Advice of Her Privy Council, from Time to Time, as Circumstances may appear to Her Majesty to permit, reduce all or any of the said Tolls or Rates received by the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation, and may also from Time to Time increase or vary any of such Tolls or Rates; so that no Toll or Rate levied under any Authority existing at the Time of the passing of this Act be made to exceed the Amount which might have been demanded or received in respect thereof if this Act had not passed.

Light Dues, &c. to be revised by Her Majesty in Council.

XVI. Subject to all Liabilities duly incurred or undertaken by or with the Sanction of the Board of Trade before the passing of this Act, such Part of the said Mercantile Marine Fund as arises from Fees and Payments received by the Board of Trade under the Acts herein-before mentioned in that Behalf shall be applied exclusively in or towards the Payment of Expenses duly incurred in carrying on the several Services herein-before mentioned, and for no other Purpose whatever; and it shall be lawful for the Board of Trade from Time to Time to reduce or alter the said Fees in such Manner as such Board may think fit, so that no Fee be demanded of greater Amount than could have been demanded if this Act had not passed.

Fees received by the Board of Trade to be applied only in Payment for Services.

XVII. The Sixty-second Section of the Act of the Seventh Year of King *William* the Fourth, Chapter Seventy-nine, shall be repealed; and

Trinity House, &c. to account for

Light Dues and other Dues on Shipping.

Receipt and Expenditure to the Board of Trade.

and the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation shall respectively account to the Board of Trade for their Receipts from the said Tolls and Rates so received by them as aforesaid, and for their Expenditure as regards Expenses paid out of the Mercantile Marine Fund, in such Form, and at such Times, and with such Details, Explanations, and Vouchers, as the Board of Trade may require, and shall, when required by the said Board, permit all Books of Accounts kept by or under their respective Direction to be inspected and examined by such Persons as the said Board may appoint for that Purpose.

Accounts of Mercantile Marine Fund to be audited by Commissioners of Audit.

XVIII. The Board of Trade shall render to the Commissioners for auditing the Public Accounts periodical Accounts of the whole of the Receipts and Expenditure of the said Mercantile Marine Fund, such Accounts to be signed and declared to by the Accountant appointed by the Board of Trade for that Purpose; and in case of Default it shall be lawful for the Commissioners of Her Majesty's Treasury to make or direct such Allowance as under the Circumstances of the Case they may think fit in respect thereof.

Accounts to be laid before Parliament.

XIX. The Board of Trade shall as soon as practicable after the Meeting of Parliament in every Year cause the Account of the Mercantile Marine Fund for the then preceding Year to be laid before both Houses of Parliament.

Board of Trade may appoint Persons to inspect Lighthouses.

XX. The Board of Trade may, upon Complaint to the Effect that any Lighthouse under the Management of the *Trinity House*, the Commissioners of Northern Lighthouses, or the Port of *Dublin* Corporation, or any Work connected therewith, is inefficient, or improperly managed, or unnecessary, authorize Persons to inspect the same; and every Person so authorized may enter and inspect the same accordingly, and make such Inquiries in respect thereof, and of the Management thereof, as he may think fit; and all Officers and others having the Care of such Lighthouses or concerned in the Management thereof, shall furnish all such Information and Explanations in relation thereto as he may require; and the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation, and their respective Officers, shall at all Times give to the Board of Trade all such Returns, Explanations, or Information in relation to such Lighthouses and the Management thereof, and in relation to the several Services aforesaid, as such Board may from Time to Time require.

Section 43 of 6 & 7 W. 4. c. 79. repealed, and Trinity

XXI. The Forty-third Section of the said Act of the Seventh Year of King *William* the Fourth, Chapter Seventy-nine, shall be repealed; and the *Trinity House* may, with the Sanction of the Board of Trade, exercise the Powers given to them by the Forty-second Section of the

Light Dues and other Dues on Shipping.

House, with Sanction of Board of Trade, to make Suggestions and give Directions to the other Lighthouse Boards.

the same Act, and may further, with such Sanction as aforesaid, direct the Commissioners of Northern Lighthouses and the Port of *Dublin* Corporation respectively to erect any new Lighthouse, and to continue, remove, or alter any Lighthouse on or near the Coasts and Islands within their respective Jurisdictions, in such Manner as the *Trinity House* may think fit and as the Board of Trade may approve: Provided always, that the said *Trinity House*, on making Application to the Board of Trade to give their Sanction to any Directions or Suggestions proposed by the said *Trinity House* under the said Act of the Seventh Year of King *William* the Fourth, Chapter Seventy-nine, or under this Act, shall give Notice to the said Commissioners or Corporation respectively of such their Application, by causing written Notice of the said Application and a Copy of the said proposed Directions or Suggestions to be left at the Office of the said Commissioners in *Edinburgh*, or at the Office of the said Corporation in *Dublin*, as the Case may be, and that after Opportunity has been afforded to the said Commissioners or Corporation respectively to submit their Observations, if they see fit, with respect to such Application to the said *Trinity House*, (a Copy of which Observations the said Commissioners and Corporation respectively may, if they see fit, transmit to the Board of Trade,) then if the said *Trinity House*, with the Concurrence of the Board of Trade, shall adhere to their said Directions or Suggestions, it shall be the Duty of the said Commissioners and Corporation respectively, and they are hereby required, to carry into effect within a reasonable Time thereafter any Directions or Suggestions proposed by the said *Trinity House* and sanctioned by the Board of Trade as aforesaid.

Property used for the Purpose of the said Services to be exempt from all Rates and Taxes.

XXII. All Lighthouses and Lighthouse Tolls, and all other Fees or Payments accruing to or forming Part of the said Mercantile Marine Fund, and all Premises or Property belonging to the *Trinity House*, the Commissioners of Northern Lighthouses, the Port of *Dublin* Corporation, or the Board of Trade, which are used or applied for the Purpose of any of the Services for which such Tolls, Fees, and Payments are received, shall be exempted from all public, parochial, or local Taxes of every Kind; and the Ships of the said *Trinity House*, Commissioners, and Corporation shall be privileged to enter or resort to all Ports, Piers, or Harbours in the United Kingdom and *Isle of Man*, without Payment of any Tolls, Dues, or Rates for the same.

Provisions of 8 & 9 Vict. c. 19. to apply to Land purchased for Lighthouses.

XXIII. The Lands Clauses Consolidation (*Scotland*) Act, 1845, shall apply to all Lighthouses erected by the Commissioners of Northern Lighthouses under any Powers given to them by any Act or Acts of Parliament, and to any Land which by any such Act or Acts they may be empowered to purchase; and all the Provisions of the said Lands Clauses Consolidation (*Scotland*) Act shall,

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shall, so far as the same are in their Nature applicable thereto, apply to such Lighthouses and Land, and shall be construed as if the same were incorporated with the special Act or Acts by which such Powers as aforesaid are given.

Dues levied on Ships not to be sold or charged without Consent of the Board of Trade.

XXIV. No Dues, Tolls, Rates, or Charges, of what Nature soever, levied or leviable, or hereafter to be levied or leviable, on any Ships, or on any Goods carried in any Ships, in any Port of *Great Britain* or *Ireland* for any Purpose whatever, shall be sold, mortgaged, or charged in any Manner or for any Purpose without the Consent of the Board of Trade first obtained, such Consent to be signified by Writing under the Hand of One of the Secretaries or Assistant Secretaries to such Board; and any Sale, Mortgage, or Charge of any such Dues, Tolls, Rates, or Charges made after the passing of this Act without such Consent shall be absolutely void, except in the following Cases; that is to say, in the Case of any Sale, Mortgage, or Charge of any Dues, Tolls, Rates, or Charges levied for the Use of any Dock or other Undertaking intended solely for the Benefit of Shipping, where the Monies raised by the Sale, Mortgage, or Charge are to be applied exclusively for the Purposes of the Undertaking for the Use of which such Dues, Rates, Tolls, or Charges are levied or leviable in the Case of any Mortgage or Charge made under the Authority of any Act of Parliament for the Purpose of raising Money to pay the Costs of any Work constructed or duly contracted for before the passing of this Act; and in the Case of any Mortgage or Charge made or continued under any Powers of reborrowing or continuing Money on Mortgage or Bond given by any Act of Parliament for the Purposes of any Work so constructed or contracted for as aforesaid.

Board of Trade Accounts.

Sections 18. 117. & 118 of 13 & 14 Vict. c. 93., ss. 29. & 31. of 14 & 15 Vict. c. 96., and ss. 27. 28. 36. 51. & 56. of 14 & 15 Vict. c. 102. repealed.

XXV. The Eighteenth, One hundred and seventeenth, and One hundred and eighteenth Sections of "The Mercantile Marine Act, 1850," the Twenty-ninth and Thirty-first Sections of "The Mercantile Marine Act Amendment Act, 1851," and the Twenty-seventh, Twenty-eighth, Thirty-sixth, Fifty-first, and Fifty-sixth Sections of "The Seamen's Fund Winding-up Act, 1851," shall be repealed.

Penalties under Merchant Seamen's Act to be paid into Exchequer.

XXVI. All Penalties, Fines, and Forfeitures which under "The Mercantile Marine Act, 1850," "The Mercantile Marine Act Amendment Act, 1851," "The Steam Navigation Act, 1851," and "The Seamen's Fund Winding-up Act, 1851," are made payable to the Board of Trade or as it may direct, shall, notwithstanding anything to the contrary in such Acts contained, be paid into the Receipt of Her Majesty's Exchequer in such Manner as the Commissioners of Her Majesty's Treasury may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

XXVII. In

Board of Trade Accounts.

Mode of dealing with Wages, &c. of deceased Seamen.

XXVII. In Cases of Wages or Effects of deceased Seamen received by the Board of Trade under "The Seamen's Fund Winding-up Act, 1851," to which no Claim is substantiated within Six Years after the Receipt thereof by such Board, it shall be in the absolute Discretion of such Board, if any subsequent Claim is made, either to allow or to refuse the same; and the Board of Trade shall from Time to Time pay any Monies arising from the unclaimed Wages and Effects of deceased Seamen, which in the Opinion of such Board it is not necessary to retain for the Purpose of satisfying Claims, into the Receipt of Her Majesty's Exchequer in such Manner as the Commissioners of Her Majesty's Treasury may direct, and such Monies shall be carried to and made Part of the Consolidated Fund of the United Kingdom.

Property belonging to Merchant Seamen's Fund to be paid into Exchequer.

XXVIII. All Monies which under "The Seamen's Fund Winding-up Act, 1851," now are or may hereafter become Part of or applicable to the Purposes of the General Fund therein mentioned, shall be paid into the Receipt of Her Majesty's Exchequer in such Manner as the Commissioners of Her Majesty's Treasury may direct; and all Property, not being Money so forming Part of or being applicable to the Purposes of the said Fund as aforesaid, shall be sold, and the Produce thereof shall be paid into the Receipt of Her Majesty's Exchequer in like Manner; and all Monies so paid into the Receipt of Her Majesty's Exchequer shall be carried to and made Part of the Consolidated Fund of the United Kingdom.

Expenses of Merchant Seamen's Fund to be provided for by annual Vote.

XXIX. The several Payments and Expenses which by the said "Seamen's Fund Winding-up Act, 1851," are charged partly on the said General Fund therein mentioned, and partly on the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, shall, except as regards the Payment to the Seamen's Hospital Society herein-after mentioned, be provided for by annual Votes of Parliament.

Gross Sum to be paid to Seamen's Hospital Society in lieu of annual Payments.

XXX. In lieu of the Payments heretofore made to the Seamen's Hospital Society under the said Seamen's Fund Winding-up Act, 1851, the Commissioners of Her Majesty's Treasury shall and they are hereby authorized, immediately on the passing of this Act, to direct the Payment to such Society, out of the Consolidated Fund of the United Kingdom, of the Sum of Two thousand three hundred and fifty-one Pounds Five Shillings; and the said Commissioners shall also, at the End of each Year, direct Payment to such Society out of the said Consolidated Fund of an annual Sum equal in Amount to the Sum paid into the Exchequer in the same Year on account of Fines or Penalties inflicted under the Twenty-second Section of the Act of the Eighth Year of Her Majesty Queen *Victoria*, Chapter One hundred and twelve, to be applied by such Society according to the

the Directions contained in the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Nine.

Manning.

So much of 12 & 13 Vict. c. 29. as relates to manning, repealed.

XXXI. So much of the Act of the Twelfth Year of Her Majesty Queen *Victoria*, Chapter Twenty-nine, as requires every *British* Ship to be navigated by a Master who is a *British* Subject and by a Crew of whom the whole or such Proportion as therein mentioned are *British* Subjects, shall be repealed.

Declaration to be made by Transferees of British Ships for the Purpose of proving themselves to be British Subjects.

XXXII. Whenever any Share or Shares in any *British* registered Ship is or are transferred to any Purchaser or Purchasers, unless such Ship is thereupon registered *de novo*, each such Transferee shall make and subscribe the following Declaration; (that is to say,)

'I [*or* we] [*Name or Names of the Transferee or Transferees*] 'do truly declare, That I [*or* we] am [*or* are] bonâ fide a 'British Subject [*or* British Subjects]. And I [*or* we] do further 'truly declare, that no Foreigner hath directly or indirectly any 'Interest whatever in the Share [*or* Shares] within transferred to 'me [*or* us].

'Declared before me this Day of 18 .

'Signature_ . _____ { Collector, Comptroller, *or* Justice of the Peace, *as the Case may be.*'

And each such Transferee shall, if he resides at any Port or within Five Miles of the Custom House of any Port, make and subscribe the same before the Collector or Comptroller of such Port, and if he resides elsewhere, before some Justice of the Peace; and such Declaration shall be indorsed on the Bill of Sale or other Instrument of Transfer; and no such Bill of Sale or Instrument of Transfer as aforesaid shall be registered unless such Declaration has first been duly indorsed thereon and subscribed as herein-before required.

Ships unduly assuming British Character may be seized and brought in for Adjudication.

XXXIII. And whereas it is expedient to prevent the undue Assumption of the *British* Flag and National Character: Be it enacted, That if any Person or Persons use the *British* Flag and assume the *British* National Character on board any Ship, owned in whole or in part by any Persons not being entitled by Law to own *British* Ships and navigate them under *British* Colours and Papers, for the Purpose of making such Ship appear to be a *British* Ship, it shall be lawful for any Officer on Full Pay in the Naval Service of Her Majesty, or any Officer of Customs, to seize and detain such Ship on the High Seas or in any *British* Port, and to bring her for Adjudication before the High Court of Admiralty or any Vice-Admiralty Court in Her Majesty's Dominions.

If the Simulation is proved, the

XXXIV. If it is made to appear to such Court by competent Evidence that such Ship has been navigated under the *British* Flag and

and *British* Papers, though owned in whole or in part by any Person or Persons not entitled to own *British* Ships, contrary to the true Intent and Meaning of this Act, the said Court may pronounce the said Ship to be confiscated to Her Majesty, Her Heirs and Successors.

Ship may be condemned.

Volunteering into the Navy.

So much of 7 & 8 Vict. c. 112. as to Wages, instead of being paid at once, to be given to the Queen's Officer on account of the Seaman, repealed.

XXXV. So much of the Fifty-first Section of the Act of the Eighth Year of Her present Majesty, Chapter One hundred and twelve, as requires the proportionate Amount of the Wages of any Seaman who quits his Ship and enters Her Majesty's Naval Service, up to the Time of such Entry, to be paid to him thereupon, shall be repealed; and in all such Cases such proportionate Amount of Wages shall be paid as follows; that is to say, the Master of the said Ship shall pay the same, either in Money or by Bill drawn upon the Owner and payable at sight, to the Officer in command of Her Majesty's Ship into which the Seaman enters; and the Receipt of such Officer shall be a Discharge for the Money or Bill so given; and if such Wages are paid in Money, such Money shall be credited in the Muster Book of the Ship to the Account of the said Seaman, and if such Wages are paid by Bill, such Bill shall be sent home to the Accountant General of Her Majesty's Navy, who shall present the same or cause the same to be presented for Payment, and shall credit the Produce thereof to the Account of the said Seaman; and such Money or Produce, as the Case may be, shall be paid to the said Seaman at the Time when the Wages of the Crew of the Ship into which he enters are paid; provided that no Officer who receives any such Bill as aforesaid shall be subject to any Liability in respect thereof, except for the safe Custody thereof until sent to the said Accountant General as aforesaid; and if any such Bill is not duly paid when presented, the Seaman on whose Behalf the same is given may sue thereon, or may recover the Wages due to him by all or any of the same Means by which Wages due to Merchant Seamen are recoverable.

If new Seamen are engaged instead of the original Seamen, the Owner may apply for Repayment of the extra Expense he has been put to.

XXXVI. If in consequence of any Seaman so quitting his Ship without the Consent of the Master or Owner thereof, it becomes necessary for the Safety and proper Navigation of the said Ship to engage a Substitute or Substitutes, and if the Wages or other Remuneration paid to such Substitute or Substitutes for subsequent Service exceed the Wages or Remuneration which would have been payable to the said Seaman under his Agreement for similar Service, the Master or Owner of the said Ship may apply to the Registrar of the High Court of Admiralty in *England* for a Certificate authorizing the Repayment of such Excess; and such Application shall be in such Form, and shall be accompanied by such Documents, and by such Statements, whether on Oath or otherwise, as the Judge of the said Court may from Time to Time direct; and the said Registrar shall

Volunteering into the Navy.

upon receiving any such Application give Notice thereof in Writing, and of the Sum claimed, to the Secretary to the Commissioners of the Admiralty, and shall proceed to examine the said Application, and may call upon the Registrar General of Seamen to produce any Papers in his Possession relating thereto, and may call for further Evidence; and if the whole of the Claim appears to him to be just, he shall give a Certificate accordingly, but if he considers that such Claim or any Part thereof is not just, he shall give Notice of such his Opinion in Writing under his Hand to the Person making the said Application or his Attorney or Agent; and if within Sixteen Days from the giving of such Notice such Person do not leave or cause to be left at the Office of the Registrar of the said Court a written Notice demanding that the said Application shall be referred to the Judge of the said Court, then the said Registrar shall finally decide thereon, and certify accordingly; but if such Notice be left as aforesaid, then the said Application shall stand referred to the said Judge in his Chambers, and his Decision thereon shall be final, and the said Registrar shall certify the same accordingly; and the said Registrar and Judge respectively shall in every Proceeding under this Act have full Power to administer Oaths, and to exercise all the ordinary Powers of the Court, as in any other Proceeding within its Jurisdiction; and the said Registrar or Judge (as the Case may be) may, if he thinks fit, allow, for the Costs of any Proceeding under this Act, any Sum not exceeding Five Pounds for each Seaman so quitting his Ship as aforesaid; and such Sum shall be added to the Sum allowed, and shall be certified by the said Registrar accordingly.

Application to be decided on, and Certificate for Amount given.

Costs not exceeding 5*l.* per Man may be given.

Accountant General to pay Sums so certified.

XXXVII. Every Certificate so given shall be sent by Post or otherwise to the Person making the Application, his Attorney or Agent, and a Copy thereof shall be sent to the Accountant General of Her Majesty's Navy; and such Accountant General shall, upon Delivery to him of the said original Certificate, together with a Receipt in Writing purporting to be a Receipt from the Master or Owner making the Application, pay to the Person delivering the same, out of the Monies applicable to the Naval Service of Her Majesty and granted by Parliament for the Purpose, the Amount mentioned in such Certificate; and such Certificate and Receipt shall absolutely discharge the said Accountant General and Her Majesty from all Liability in respect of the Monies so paid or of the said Application.

Desertion.

Seamen imprisoned for Desertion or Breach of Discipline may be sent on board before the Termination of the Sentence.

XXXVIII. If any Seaman or Apprentice is imprisoned in any Part of Her Majesty's Dominions on the Ground of his having neglected or refused to join any Ship in which he is engaged to serve, or of having deserted or otherwise absented himself therefrom without Leave, or of his having committed any other Breach of Discipline, and if during such Imprisonment, and before his Engagement is at an end, his Services are required on board his Ship, any Justice may, at the Request

Request of the Master or of the Owner or his Agent, cause such Seaman or Apprentice to be conveyed on board his said Ship for the Purpose of proceeding on the Voyage, or to be delivered to the Master or any Mate of the Ship, or the Owner or his Agent, to be by them so conveyed, notwithstanding that the Termination of the Period for which he was sentenced to Imprisonment has not arrived.

Lascar Seamen for Australia.

Contracts may be made with Natives in India under certain Conditions binding them to go to Australia, and thence to serve in other Ships to the United Kingdom.

XL. And whereas it is expedient to give Facilities for obtaining Seamen in the *Australian* Colonies: Be it enacted, That it shall be lawful for any Master of a Ship, or any Owner of a Ship, or his Agent, to enter into Contracts with Lascars or Natives of the Territories of the *East India* Company, binding them to proceed to any Port or Ports in the *Australian* Colonies either as Seamen or as Passengers, and there to engage themselves as Seamen in any Ship bound to the United Kingdom, or to any other Part of Her Majesty's Dominions; provided that every such Contract shall be in such Form, and shall contain such Provisions, and shall be executed in such Manner, and under such Conditions for securing the Return of such Lascars or Natives to their own Country and for other Purposes, as the Governor General of *India* in Council, or the Governors of the respective Presidencies in which the Contract is made in Council may direct; and if any Lascar or other Person who has bound himself by any such Contract is, on arriving in any of the said Colonies, required to enter into an Agreement to serve as a Seaman in any Ship bound for the United Kingdom or to any other Part of Her Majesty's Dominions, and if it is certified by some Officer appointed for that Purpose by the Governor of the said Colony that such Agreement is a proper Agreement in all respects for such Lascar or other Person to enter into, and is in accordance with the original Contract, and that the Ship to which such Agreement relates is a proper Ship for such Lascar or other Person to serve in, and is properly supplied with Provisions, and that there is not in the Opinion of such Officer any Objection to the full Performance of the said Contract, such Lascar or other Person shall be bound to enter into the said Agreement, and to serve as a Seaman in the Ship to which it relates, and shall thereupon be deemed to be for all Purposes one of the Crew of the Ship; and if he refuses to enter into such Agreement he shall, notwithstanding such Refusal, be liable to the same Consequences, and be dealt with in all respects in the same Manner, as if he had voluntarily entered into the same; and for every Lascar or other Person in respect of whom such Certificate is applied for, the Person applying for the same shall pay to such Officer as aforesaid such Fee as the Governor of the Colony may appoint.

Salvage.

No Claim for Salvage Services to be allowed

XXXIX. In Cases where Salvage Services are rendered by any Ship belonging to Her Majesty, or by the Commander or Crew thereof, no Claim shall be made or allowed for any Loss, Damage, or

Salvage.

in respect of Loss or Risk of Her Majesty's Ships or Property.

or Risk thereby caused to such Ship, or to the Stores, Tackle, or Furniture thereof, or for the Use of any Stores or other Articles belonging to Her Majesty supplied in order to effect the Salvage Service, or for any other Expense or Loss sustained by Her Majesty by reason of such Services.

Steps to be taken when Salvage Services have been rendered by Her Majesty's Ships abroad.

XLI. Whenever Services for which Salvage is claimed are rendered to any Ship or Cargo, or to any Part of any Ship or Cargo, or to any Appurtenances of any Ship, at any Place out of the United Kingdom of *Great Britain* and *Ireland* and the Four Seas adjoining thereto, by the Commander or Crew or Part of the Crew of any of Her Majesty's Ships, the Property alleged to be salved shall, if the Salvor is justified by the Circumstances of the Case in detaining it at all, be taken to some Port where there is either a Consular Officer or Vice-Admiralty Court; and within Twenty-four Hours after arriving at such Port the said Salvor and the Master or other Person in charge of the Property alleged to be salved shall each deliver to the Consular Officer or Vice-Admiralty Judge there a Statement verified on Oath, specifying, so far as they respectively can, and so far as the Particulars required apply to the Case,

a. The Place, Condition, and Circumstances in which the said Ship, Cargo, or Property was at the Time when the Services were rendered for which Salvage is claimed;

b. The Nature and Duration of the Services rendered:

And the Salvor shall add to his Statement,

c. The Proportion of the Value of the said Ship, Cargo, and Property, and of the Freight which he claims for Salvage, or the Values at which he estimates the said Ship, Freight, Cargo, and Property respectively, and the several Amounts that he claims for Salvage in respect of the same;

d. Any other Circumstances he thinks relevant to the said Claim:

And the said Master or other Person in charge of the said Ship, Cargo, or Property shall add to his Statement,

c. A Copy of the Certificate of Registry of the said Ship, and of the Indorsements thereon, stating any Change which (to his Knowledge or Belief) has occurred in the Particulars contained in such Certificate;

d. The Name and Place of Business or Residence of the Freighter (if any) of the said Ship, and the Freight to be paid for the Voyage she is then on;

e. A general Account of the Quantity and Nature of the Cargo at the Time the Salvage Services were rendered;

f. The Name and Place of Business or Residence of the Owner of such Cargo and of the Consignee thereof;

g. The Values at which the said Master estimates the said Ship, Cargo, and Property, and the Freight respectively, or, if he thinks

thinks fit, in lieu of such estimated Value of the Cargo, a Copy of the Ship's Manifest; *Salvage.*

h. The Amounts which the Master thinks should be paid as Salvage for the Services rendered;

i. An accurate List of the Property saved, in Cases where the Ship is not saved;

j. An Account of the Proceeds of the Sale of the said Ship, Cargo, or Property, in Cases where the same or any of them are sold at such Port as aforesaid;

k. The Number, Capacities, and Condition of the Crew of the said Ship at the Time the said Services were rendered;

l. Any other Circumstances he thinks relevant to the Matters in question;

m. A Statement of his Willingness to execute a Bond, in the Form in the Schedule hereto annexed, in such Amount as the said Consular Officer or Vice-Admiralty Judge shall fix.

Consular Officer or Judge to fix Amount for which a Bond is to be given;

XLII. The said Consular Officer or Vice-Admiralty Judge, as the Case may be, shall, within Four Days after receiving the aforesaid Statements, fix the Amount to be inserted in the said Bond at such Sum as he shall to the best of his Judgment think to be sufficient to answer the Demand for the Salvage Services rendered, but so that such Sum shall never exceed One Half of the Value which he puts upon the said Ship, Freight, and Cargo, or those of them or the Parts thereof in respect of which Salvage is claimed; and the said Consular Officer or Judge may, if either of the aforesaid Statements is not delivered to him within the Time hereby required, proceed *ex parte;* but he shall in no Case under this Act require the Cargo to be unladen; and the said Consular Officer may in any Proceeding under this Act relating to Salvage take Affidavits and receive Affirmations.

and to send Notice thereof to the Master.

On Master executing Bond, the Right of Detention to cease.

XLIII. The said Consular Officer or Judge shall send Notice of the Sum which he has so fixed as aforesaid to the said Salvor and the said Master or other Person in charge as aforesaid; and upon such Master or other Person executing a Bond in the Form in the Schedule hereto annexed, with the said Sum inserted therein, in the Presence of the said Consul or Judge (who shall attest the same), and delivering the same to the said Salvor, the Right of the said Salvor to detain or retain Possession of the said Ship, Cargo, or Property, or any of them, in respect of the said Salvage Claim, shall cease.

Provision for additional Security in the Case of Ships owned by Persons resident out

XLIV. Provided, That if the Ship, Cargo, or Property in respect of which the Claim for Salvage is made, is not owned by Persons domiciled in Her Majesty's Dominions, the Right of the Salvor to detain or retain Possession thereof shall not cease unless the Master or other Person in charge thereof procures, in addition to the

 said

Salvage.

of Her Majesty's Dominions.

said Bond, such Security for the due Performance of the Conditions thereof as the said Officer or Judge considers sufficient for the Purpose, and places the same in the Possession or Custody of the said Officer or Judge, or, if the Salvor so desires, in the Possession or Custody of the said Officer or Judge jointly with any other Person whom the said Salvor may appoint for the Purpose.

Documents to be sent to England.

XLV. The said Consular Officer or Judge shall at the earliest Opportunity transmit the said Statements and Documents so sent to him as aforesaid, and a Notice of the Sum he has so fixed as aforesaid, to the High Court of Admiralty of *England*, or if the said Salvor and the said Master or other Person in charge as aforesaid agree that the said Bond shall be adjudicated upon by any Vice-Admiralty Court, to such Court.

Whom the Bond shall bind.

XLVI. The said Bond shall bind the respective Owners of the said Ship, Freight, and Cargo, and their respective Heirs, Executors, and Administrators, for the Salvage adjudged to be payable in respect of the said Ship, Freight, and Cargo respectively.

Court in which it is to be adjudicated on.

XLVII. The said Bond shall be adjudicated on and enforced by the High Court of Admiralty in *England*, or if the said Salvor and Master or other Person at the Time of the Execution of the said Bond agree upon any Vice-Admiralty Court, then by such Vice-Admiralty Court; and any such Vice-Admiralty Court shall and may, in every Proceeding under this Act, have and exercise all and singular the Powers and Authorities whatsoever which the said High Court of Admiralty now has or at any Time may have in any Proceeding whatsoever before it; and in Cases where any Security for the due Performance of the Conditions of the said Bond has been placed in the Possession or Custody of the said Consular Officer or Vice-Admiralty Judge, or of such Officer or Judge jointly with any other Person, they shall respectively deal with the said Security in such Manner as the Court which adjudicates on the Bond may direct.

Power of High Court of Admiralty to enforce Bonds.

XLVIII. The said High Court of Admiralty shall have Power to enforce any Bond given in pursuance of this Act in any Vice-Admiralty Court in any Part of Her Majesty's Dominions; and all Courts in *Scotland*, *Ireland*, and the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man* exercising Admiralty Jurisdiction shall upon Application aid and assist the High Court of Admiralty in enforcing the said Bonds.

Saving Clause.

XLIX. Any such Salvor as aforesaid of any Ship, Cargo, or Property who may elect not to proceed under this Act, shall have no Power to detain the said Ship, Cargo, or Property, but may proceed otherwise for the Enforcement of his Salvage Claim as if this

this Act had not been passed; and nothing in this Act contained shall abridge or affect the Rights of Salvors, except in the Cases by it provided for.

Salvage.

L. Whenever Services for which Salvage is claimed are rendered either by the Commander or Crew or Part of the Crew of any of Her Majesty's Ships, or of any other Ship, and the Salvor voluntarily agrees to abandon his Lien upon the Ship, Cargo, and Property alleged to be salved, upon the Master or other Person in charge thereof entering into a written Agreement, attested by Two Witnesses, to abide the Decision of the said High Court of Admiralty or of any Vice-Admiralty Court, and thereby giving Security in that Behalf to such Amount as may be agreed on by the Parties to the said Agreement, such Agreement shall bind the said Ship and the said Cargo and the Freight payable therefor respectively, and the respective Owners of the said Ship, Freight, and Cargo for the Time being, and their respective Heirs, Executors, and Administrators, for the Salvage which may be adjudged to be payable in respect of the said Ship, Cargo, and Freight respectively to the Extent of the Security so given as aforesaid, and may be adjudicated upon and enforced in the same Manner as the Bonds above mentioned; and upon such Agreement being made, the Salvor and the Master or other Person in charge as aforesaid shall respectively make such Statements as are herein-before required to be made by them in case of a Bond being given, except that such Statements need not be made upon Oath; and the Salvor shall, as soon as practicable, transmit the said Agreement and the said Statements to the Court in which the said Agreement is to be adjudicated upon.

Voluntary Agreements may be made which shall have the same Effect as the Bonds above mentioned.

LI. All Bonds, Statements, Agreements, and other Documents made or executed in pursuance of such Parts of this Act as relate to Salvage shall, if so made or executed out of the United Kingdom, be exempt from Stamp Duty, and shall be received in Evidence, though unstamped.

Documents free from Duty.

LII. Every Person who, in making or supporting any such Application as aforesaid to the Registrar of the High Court of Admiralty, or who in any Proceeding under this Act in respect of Salvage, fraudulently forges, alters, or procures to be forged or altered, any Document, and every Person who in making or supporting any such Application or in any such Proceeding puts off or makes use of any such forged or altered Document, or who in making or supporting any such Application or in any such Proceeding gives or makes or procures to be given or made, or assists in giving or making or procuring to be given or made, any false Evidence or Representation, knowing the same to be false, or who in any such Declaration as herein-before required

Penal Clauses

Punishment for Forgery and false Representations.

Penal Clauses.

required upon the Purchase of any Share or Shares in any Ship makes any false Statement or Representation, shall be punishable with Imprisonment, with or without Hard Labour, for a Period not exceeding Two Years, or, if summarily prosecuted and convicted, by Imprisonment, with or without Hard Labour, for a Period not exceeding Six Months.

Mode of Procedure in Criminal Cases.

LIII. All Criminal Proceedings under this Act shall be carried on in the same Manner as similar Proceedings under the said Mercantile Marine Act, 1850, and all Rules of Law, Practice, and Evidence which are applicable to such last-mentioned Proceedings shall be applicable to Criminal Proceedings under this Act.

Procedure in Scotland under Merchant Service Acts.

All Offences under 7 & 8 Vict. c. 112., 8 & 9 Vict. c. 116., 13 & 14 Vict. c. 93., 14 & 15 Vict. c. 96., 14 & 15 Vict. c. 79., 14 & 15 Vict. c. 103. punishable as Misdemeanors.

LIV. All Offences which by the Act of the Eighth Year of Her present Majesty, Chapter One hundred and twelve, the Act of the Ninth Year of Her present Majesty, Chapter One hundred and sixteen, "The Mercantile Marine Act, 1850," "The Mercantile Marine Act Amendment Act, 1851," "The Steam Navigation Act, 1851," "The Seamen's Fund Winding-up Act, 1851," or this Act, are described as Misdemeanors, or are made punishable by Imprisonment for Periods exceeding Six Months, may, in *Scotland*, be prosecuted by Indictment or Criminal Letters at the Instance of Her Majesty's Advocate before the High Court of Justiciary, or by Criminal Libel at the Instance of the Procurator Fiscal of the County before the Sheriff, and shall be punishable with Fine and with Imprisonment with or without Hard Labour in default of Payment, or with Imprisonment with or without Hard Labour, or with both, as the Court may think fit; and such Court may also, if it think fit, order Payment by the Offender of the Costs and Expenses of the Prosecution: Provided always, that nothing herein contained shall be held or construed to extend to the Prosecution of Offences punishable by Transportation.

Summary Proceedings.

LV. All Prosecutions, Complaints, Actions, or Proceedings, whether of a criminal or civil Nature, under any of the said last-mentioned Acts, other than Prosecutions for Offences described as Misdemeanors or punishable by Transportation, may be brought in a summary Form before the Sheriff of the County, or before any Two Justices of the Peace of the County or Burgh where the Cause of such Prosecution or Action arises, or where the Offender or Defender may be for the Time.

Penalties how to be sued for.

LVI. All Penalties imposed by the said Acts may be sued for and recovered, with the Costs of Prosecution, before the Sheriff or any Two Justices as aforesaid, at the Instance of the Party to whom such Penalty is made payable in whole or in part, with Concurrence of the Procurator Fiscal of Court, or at the Instance of the Procurator Fiscal

Fiscal of Court where such Penalty is not made payable either in whole or in part to any private Party.

Procedure in Scotland.

LVII. All Prosecutions, Complaints, Actions, or other Proceedings under the said Act may be brought either in a written or printed Form, or partly written and partly printed, and where such Proceedings are brought in a summary Form it shall not be necessary in the Complaint to recite or set forth the Clause or Clauses of the Act on which such Proceeding is founded, but it shall be sufficient to specify or refer to such Clause or Clauses, and to set forth shortly the Cause of Complaint or Action, and the Remedy sought; and when such Complaint or Action is brought in whole or in part for the Enforcement of a pecuniary Debt or Demand, the Complaint may contain a Prayer for Warrant to arrest upon the Dependence.

Form of Complaint, &c.

LVIII. On any Complaint or other Proceeding brought in a summary Form under the said Acts being presented to the Sheriff Clerk or Clerk of the Peace, he shall grant Warrant to cite the Defender to appear personally before the said Sheriff or Justices of the Peace on a Day fixed, not less than Three Days after a Copy of the Complaint or other Proceeding has been served upon him, and at the same Time shall appoint a Copy of the same to be delivered to him by a Sheriff Officer or Constable, as the Case may be, along with the Citation; and such Deliverance shall also contain a Warrant for citing Witnesses and Havers to compear at the same Time and Place, to give Evidence and produce such Writs as may be specified in their Citation; and where such Warrant has been prayed for in the Complaint or other Proceeding, the Deliverance of the Sheriff Clerk or Clerk of the Peace shall also contain Warrant to arrest upon the Dependence in common Form: Provided always, that Service made on any Party or Witness by leaving a Copy of Citation for him on board of any Ship to which he may belong shall be of equal Force and Effect as Service made at his Dwelling House.

Mode of requiring Appearance of Defender and Witnesses.

LIX. When it shall become necessary to execute such Arrestment on the Dependence against Goods or Effects of the Defender within *Scotland*, but not locally situated within the Jurisdiction of the Sheriff or Justices of the Peace by whom the Warrant to arrest has been granted, it shall be competent to carry the Warrant into execution on its being indorsed by the Sheriff Clerk or Clerk of the Peace of the County or Burgh respectively within which such Warrant comes to be executed.

Backing Arrestments.

LX. That in all Proceedings under the said Acts the Sheriff or Justices of the Peace shall have the same Power of compelling Attendance of Witnesses and Havers as in Cases falling under their ordinary Jurisdiction.

Compelling Attendance of Witnesses.

Procedure in Scotland.

Proceedings to be vivâ voce.

LXI. The whole Procedure in Cases brought in a summary Form before the Sheriff or Justices of the Peace shall be conducted *vivâ voce*, without written Pleadings, and without taking down the Evidence in Writing, and no Record shall be kept of the Proceedings other than the Complaint and the Sentence or Decree pronounced thereon.

Power to adjourn.

LXII. It shall be in the Power of the Sheriff or Justices of the Peace to adjourn the Proceedings from Time to Time to any Day or Days to be fixed by them, in the event of Absence of Witnesses or of any other Cause which shall appear to them to render such Adjournment necessary.

Sentence to be in Writing.

Imprisonment to be inflicted in default of Payment.

5 & 6 W. 4. c. 70.

LXIII. All Sentences and Decrees to be pronounced by the Sheriff or Justices of the Peace upon such summary Complaints shall be in Writing; and where there is a Decree for Payment of any Sum or Sums of Money against a Defender, such Decree shall contain Warrant for Arrestment, Poinding, and Imprisonment in default of Payment, such Arrestment, Poinding, or Imprisonment to be carried into effect by Sheriffs Officers or Constables, as the Case may be, in the same Manner as in Cases arising under the ordinary Jurisdiction of the Sheriff or Justices: Provided always, that nothing herein contained shall be taken or construed to repeal or affect an Act of the Fifth and Sixth Years of *William* the Fourth, intituled *An Act for abolishing, in* Scotland, *Imprisonment for Civil Debts of small Amount.*

Sentence, Penalties, &c. in default of Defender's Appearance.

LXIV. In all summary Complaints and Proceedings for Recovery of any Penalty or Sum of Money, if a Defender who has been duly cited shall not appear at the Time and Place required by the Citation, he shall be held as confessed, and Sentence or Decree shall be pronounced against him in Terms of the Complaint, with such Costs and Expenses as to the Court shall seem fit: Provided always, that he shall be entitled to obtain himself reponed against any such Decree at any Time before the same be fully implemented, by lodging with the Clerk of Court a Reponing Note, and consigning in his Hands the Sum decerned for and the Costs which had been awarded by the Court, and on the same Day delivering or transmitting through the Post to the Pursuer or his Agent a Copy of such Reponing Note; and a Certificate by the Clerk of Court of such Note having been lodged shall operate as a Sist of Diligence till the Cause shall have been reheard and finally disposed of, which shall be on the next Sitting of the Court, or on any Day to which the Court shall then adjourn it.

Warrant to apprehend in default of Appearance.

LXV. In all summary Complaints or other Proceedings not brought for the Recovery of any Penalty or Sum of Money, if a Defender,

Defender, being duly cited, shall fail to appear, the Sheriff or Justices may grant Warrant to apprehend and bring him before the Court.

Procedure in Scotland.

LXVI. In all Cases where Sentences or Decrees of the Sheriff or Justices require to be enforced within *Scotland*, but beyond the Jurisdiction of the Sheriff or Justices by whom such Sentences or Decrees have been pronounced, it shall be competent to carry the same into execution, upon the same being endorsed by the Sheriff Clerk or Clerk of the Peace of the County or Burgh within which such Execution is to take place.

Backing Sentences or Decrees.

LXVII. No Order, Decree, or Sentence pronounced by any Sheriff or Justice of the Peace under the Authority of this Act shall be quashed or vacated for any Misnomer, Informality, or Defect of Form; and all Orders, Decrees, and Sentences so pronounced shall be final and conclusive, and not subject to Suspension, Advocation, Reduction, or to any Form of Review or Stay of Execution, except on the Ground of Corruption or Malice on the Part of the Sheriff or Justices, in which Case the Suspension, Advocation, or Reduction must be brought within Fourteen Days of the Date of the Order, Decree, or Sentence complained of: Provided always, that no Stay of Execution shall be competent to the Effect of preventing immediate Execution of such Order, Decree, or Sentence.

Orders not to be quashed for Want of Form; and to be final.

LXVIII. Such of the general Provisions with respect to Procedure and Penalties contained in the said last-mentioned Acts as are not inconsistent with the special Rules herein-before laid down for the Conduct of legal Proceedings and the Recovery of Penalties in *Scotland*, shall, so far as the same are applicable, extend to such last-mentioned Proceedings and Penalties.

General Rules, so far as applicable, to extend to Penalties and Proceedings in Scotland.

The

The SCHEDULE referred to in the foregoing Act.

BOND IN PURSUANCE OF "THE MERCHANT SHIPPING LAW AMENDMENT ACT, 1853."

[N.B.—*Any of the Particulars not known, or not required, by reason of the Claim being only against the Cargo, &c., may be omitted.*]

WHEREAS certain Salvage Services are alleged to have been rendered by the Ship [*insert Names of Ship and of Commander*], Commander, to the Merchant Ship [*insert Names of Ship and Master*], Master, belonging to [*Name and Place of Business or Residence of Owner of Ship*], freighted by [*the same of the Freighter*], and to the Cargo therein, consisting of [*state very shortly the Descriptions and Quantities of the Goods and the Names and Addresses of their Owners and Consignees*]:

And whereas the said Ship and Cargo have been brought into the Port of [*insert Name and Situation of Port*], and a Statement of the Salvage Claim has been sent to [*insert the Name of the Consular Officer or Vice-Admiralty Judge, and of the Office he fills*], and he has fixed the Amount to be inserted in this Bond at the Sum of [*state the Sum*]:

Now I, the said [*Master's Name*], do hereby, in pursuance of the above-mentioned Act, bind the several Owners for the Time being of the said Ship and of the Cargo therein, and of the Freight payable in respect of such Cargo, and their respective Heirs, Executors, and Administrators, to pay among them such Sum not exceeding the said Sum of [*state the Sum fixed*], in such Proportions and to such Persons as [*if the Parties agree on any other Court, substitute the Name of it here*] the High Court of Admiralty in England shall adjudge to be payable as Salvage for the Services so alleged to have been rendered as aforesaid.

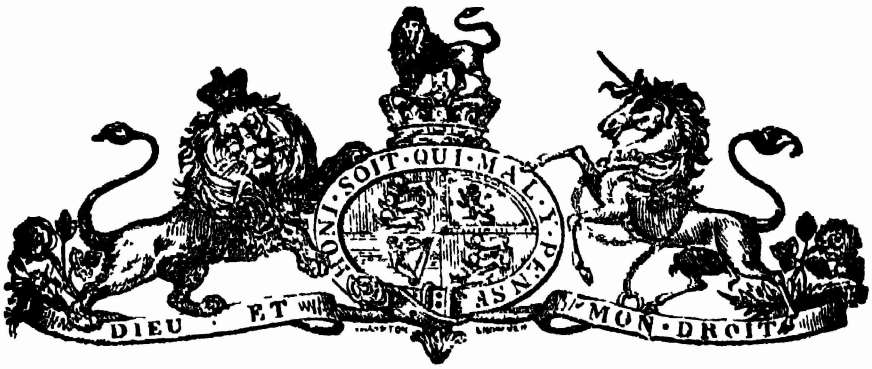
In witness whereof I have hereunto set my Hand and Seal this [*insert the Date*] Day of

Signed, sealed, and delivered by the said [*Master's Name*].

(L.S.)

In the Presence of [*Name of Consular Officer or Vice-Admiralty Judge, and of the Office he fills*].

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1853.



ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

not signified any Assent within the Period allowed to them as aforesaid: And whereas under the Constitution of the *South Sea* Company no Persons are capable of voting at any General Court of the Company save those who have Five hundred Pounds or more of the Capital Stock of the Company in their own Name and Right: And whereas it is expedient that the Parties interested in the Stock in respect of which no Vote could be given in the General Court of the Company should be enabled to commute the same as herein-after mentioned, and that the said Company should be allowed to commute upon the like Terms such Sum as may be invested as a Guarantee Fund in case they should be authorized by Parliament to undertake the Administration of private Trusts: And whereas it is necessary to provide for paying off such Parties as have not and shall not signify their Assent to Commutation under the said Act or this Act: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

South Sea Company may commute, according to the Provisions of 16 Vict. c. 23., or for 3*l.* 5*s.* per Cent. Annuities, 1844, Annuity on their Stock belonging to Proprietors disabled from voting in General Courts.

I. If the *South Sea* Company shall, in pursuance of any Offer of Commutation to be made by the Commissioners of Her Majesty's Treasury under the Powers of this Act, signify to the Commissioners of Her Majesty's Treasury, in Writing under the Common Seal of such Company, their Assent to commute and exchange any Part or Parts of the Annuity or Interest on their Trading or Capital Stock into or for any One or more of the New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, and Exchequer Bonds authorized to be created and issued respectively by the said Act of the present Session, Chapter Twenty-three, and the Three Pounds Five Shillings *per Centum* Annuities and New Three Pounds *per Centum* Annuities created under Two Acts of the Session holden in the Seventh and Eighth Years of Her Majesty, Chapters Four and Five, or like Annuities to be created under this Act (herein-after referred to as Three Pounds Five Shillings *per Centum* Annuities, 1844), the said Company shall be permitted to make such Commutation or Exchange accordingly, upon the Terms herein-after mentioned; (that is to say,) such Commutation or Exchange into or for the said Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, and Exchequer Bonds respectively to be upon the Terms and subject to the Conditions upon and subject to which such Commutation or Exchange was authorized under the said Act of the present Session, Chapter Twenty-three, and such Commutation or Exchange into or for the said Three Pounds Five Shillings *per Centum*

Centum Annuities, 1844, to be upon such Terms and subject to such Conditions as the Commissioners of Her Majesty's Treasury may see fit to offer; provided that the said Company shall, upon signifying any such Assent as aforesaid, certify that the Annuities and Bonds respectively to be taken by them under such Commutation and Exchange will, under the Authority of an Act enabling the said Company to enter into Arrangements with the Proprietors thereof, and by virtue of Consents or Authorities previously signified under the Provisions of such Act, be appropriated in respect of Shares of their Trading or Capital Stock standing in the Names of the Accountants General of the Courts of Chancery of *England* and *Ireland* respectively, and of the Accountant in Bankruptcy in *England*, and of Trustees and others disabled from voting in respect of such Shares in the General Court of the said Company, or in the Names of some of the Parties aforesaid, as the Case may be.

South Sea Company, if authorized to undertake private Trusts, may commute for the Purpose of forming a Guarantee Fund.

II. In case the said *South Sea* Company shall by any Act of the present Session of Parliament have been authorized to undertake the Administration of private Trusts, and the said Company or the Court of Directors thereof, under their Common Seal, or under the Hands of Six of the Directors of the said Company, shall, in pursuance of any Offer of Commutation to be made by the Commissioners of Her Majesty's Treasury under the Powers of this Act, signify their Assent to commute or exchange any Part of the Annuity or Interest payable on their Trading or Capital Stock, for the Purpose of the Investment of the Annuities or Bonds to be received under such Commutation or Exchange as a Guarantee Fund for such Administration of private Trusts, the said Company or such Court of Directors thereof shall be permitted to make such Commutation or Exchange accordingly into any One or more of the said Annuities and Bonds authorized to be created and issued by the said Act of the present Session, Chapter Twenty-three, or the said Three Pounds Five Shillings *per Centum* Annuities, 1844, upon the same Terms and subject to the like Conditions as are herein granted in respect of the Commutation and Exchange of such other Part of the Annuity or Interest on their Trading or Capital Stock as the Company are permitted to commute or exchange.

Treasury to appoint Times within which Assents of Company to commute shall be signified, and to fix Terms of Commutation into

III. It shall be lawful for the Commissioners of Her Majesty's Treasury, at any Time or from Time to Time before the Twenty-fifth Day of *December* One thousand eight hundred and fifty-three, by Warrant under their Hands to offer to the *South Sea* Company such Commutation as is authorized by this Act, either for the Purposes of an Appropriation of Annuities or Bonds in respect of the Shares of the Parties herein-before mentioned, or any of them, or

3l. 5s. per Cent. Annuities.

or for the Purpose of the said Guarantee Fund, and to limit the Time or respective Times with reference to the Purposes for which such Commutation is to be made, but not later in any Case than the Fifth Day of *January* One thousand eight hundred and fifty-four, within which the said *South Sea* Company or the Court of Directors thereof shall be permitted to signify their Assent to commute or exchange in pursuance of such Offer, and the said Commissioners shall in every such Warrant specify the Price or Rate at which Three Pounds Five Shillings *per Centum* Annuities, 1844, may be taken by the said Company on any Commutation in pursuance of such Offer into such Annuities of any Part of the Annuity or Interest payable on their Trading or Capital Stock.

Provisions of 16 Vict. c. 23. to extend to Commutation under this Act.

IV. All the Provisions of the said Act of the present Session, Chapter Twenty-three, in relation to the Commutation and Exchange thereby authorized, and the Stock and Exchequer Bonds to be created and issued respectively for the Purposes of such Commutation and Exchange, shall extend to the Commutation and Exchange authorized by this Act, and to the Stocks and Exchequer Bonds to be created and issued for the Purposes of such Commutation and Exchange, save as herein expressly provided.

Treasury may give Directions for creating the *3l. 5s.* per Cent. Annuities to which the Company may be entitledonCommutation.

V. In case the said *South Sea* Company shall, under the Provisions of this Act, signify to the Commissioners of Her Majesty's Treasury their Assent to commute or exchange any Part of the Annuity or Interest payable on their Trading or Capital Stock into or for Three Pounds Five Shillings *per Centum* Annuities, 1844, the Commissioners of Her Majesty's Treasury shall thereupon, by Warrant under their Hands, authorize and direct the Governor and Company of the Bank of *England* to enter or cause to be entered into the Name of the said *South Sea* Company in the Books of the said Governor and Company the Amount or Amounts of Three Pounds Five Shillings *per Centum* Annuities, 1844, to which the said Company may be entitled under such Assent.

Annuities so created to form Part of the Capital of *3l. 5s.* per Cent. Annuities, 1844.

VI. The Annuities which shall be created from Time to Time as aforesaid by virtue of this Act shall be deemed and taken to be and shall from Time to Time be added to and shall form Part of the Capital of the said Three Pounds Five Shillings Annuities and New Three Pounds *per Centum* Annuities created under the said Acts of the Seventh Year of Her Majesty, Chapters Four and Five, and the Dividends arising thereon shall, as the same shall become due, be charged upon and issued and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, in like Manner as the Dividends on the Annuities now forming the said Capital.

VII. Pro-

VII. Provided always, That a Quarter of a Year's Dividends or Interest, and no more, shall be paid on the Fifth Day of *April* One thousand eight hundred and fifty-four, on any Sum or Share of the said Three Pounds Five Shillings *per Centum* Annuities for or into which any Part of the Annuity or Interest on the Trading or Capital Stock of the said Company may have been commuted or exchanged under this Act.

On First Dividend Day only One Quarter's Dividend on 3*l.* 5*s.* per Cent. Annuities to become payable.

VIII. It shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant under their Hands, to direct to be charged upon and to be issued and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the growing Produce thereof, from Time to Time, such Sum or Sums of Money as shall be required for paying off any of the Proprietors of the Capital Stocks of *Old South Sea* Annuities, *New South Sea* Annuities, Bank Annuities, 1726, and Three Pounds *per Centum* Annuities, 1751, mentioned in the said Act of the present Session, Chapter Twenty-three, in respect of whose Annuities Assents to commute shall not have been signified according to the said Act, and also for paying to the said *South Sea* Company the Sum payable to such Company under the said Act in respect of the Amount of the Trading or Capital Stock of the said Company, or the Part thereof the Interest or Annuity on which shall not have been commuted or exchanged according to the said Act of the present Session of Parliament or this Act.

Treasury may direct the Payment of such Sum as may be required for paying off Annuities and Stock not commuted under 16 Vict. c. 23. or this Act.

IX. And whereas the Commissioners of Her Majesty's Treasury, in exercise of the Authority vested in them by the Third Section of the said Act, have fixed the Rate of Interest to be payable and paid on such Exchequer Bonds as may be issued under the Authority of the said Act at Two Pounds Fifteen Shillings *per Centum per Annum* for the Period which shall elapse from the issuing such Bonds up to the First Day of *September* in the Year One thousand eight hundred and sixty-four, the Bonds to carry Interest thereafter at the Rate of Two Pounds Ten Shillings *per Centum per Annum* as provided by the said Act, and have determined that such Exchequer Bonds shall, after the First Day of *September* One thousand eight hundred and ninety-four, be redeemable at par at the Option of the Commissioners of Her Majesty's Treasury only so soon as Parliament shall have made due Provision in respect thereof: Until Parliament shall have made such Provision, and such Exchequer Bonds shall be redeemed in exercise of such Option as aforesaid, the Interest thereon shall, after the said First Day of *September* One thousand eight hundred and ninety-four, continue to be payable out of the said Consolidated Fund at the said Rate of Two Pounds Ten

After Exchequer Bonds become redeemable Interest to be paid on the half-yearly Days until actual Redemption.

Shillings *per Centum per Annum* on the same half-yearly Days and in the same Manner as from the said First Day of *September* One thousand eight hundred and sixty-four to the said First Day of *September* One thousand eight hundred and ninety-four.

Punishing Persons manufacturing or using Paper, Plates, or Dies intended to imitate those used for Exchequer Bonds.

X. Every Person who shall make, or cause or procure to be made, or shall aid or assist in making, or shall knowingly have in his Possession not being legally authorized by the Commissioners of Inland Revenue or Commissioners of Her Majesty's Treasury, and without lawful Excuse, (the Proof whereof shall lie on the Person accused,) any Instrument having therein any Words, Letters, Figures, Marks, Lines, or Devices peculiar to and appearing in the Substance of any Paper provided or to be provided or used for Exchequer Bonds, or any Machinery for working any Threads into the Substance of any Paper, or any such Thread, and intended to imitate such Words, Letters, Figures, Marks, Lines, Threads, or Devices, or any Plate peculiarly employed for printing Exchequer Bonds. or any Die peculiarly used for preparing any such Plate, or for sealing such Exchequer Bonds, or any Plate or Die intended to imitate such Plates or Dies respectively; and also every Person, except as before excepted, who shall make, or cause or procure to be made, or aid or assist in making any Paper in the Substance of which shall appear any Words, Letters, Figures, Marks, Lines, Threads, or other Devices peculiar to and appearing in the Substance of any Paper provided or to be provided or used for Exchequer Bonds, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, and intended to imitate the same; and also every Person, except as before excepted, who shall knowingly have in his Possession without lawful Excuse (the Proof whereof shall lie on the Person accused) any Paper whatever, in the Substance whereof shall appear any such Words, Letters, Figures, Marks, Lines, Threads, or Devices as aforesaid, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or Devices, and intended to imitate the same, and also every Person, except as before excepted, who shall cause or assist in causing any such Words, Letters, Figures, Marks, Lines, Threads, or Devices as aforesaid, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, and intended to imitate the same, to appear in the Substance of any Paper whatever, or who shall take or assist in taking any Impression of any such Plate or Die as aforesaid, shall be guilty of Felony.

Persons unlawfully having in Possession Paper, Plates, or Dies to be

XI. Every Person not lawfully authorized and without lawful Excuse (the Proof whereof shall lie on the Person accused) who shall purchase or receive, or take and have in his Custody, any Paper manufactured and provided by or under the Directions of the Commissioners

missioners of Inland Revenue or Commissioners of Her Majesty's Treasury, for the Purpose of being used as Exchequer Bonds before such Paper shall have been duly stamped, signed, and issued for Public Use, or any such Plate or Die as aforesaid, shall for every such Offence be guilty of a Misdemeanor, and being convicted thereof shall, at the Discretion of the Court before whom he shall be tried, be imprisoned for any Period not more than Three Years nor less than Six Calendar Months.

used for Exchequer Bonds guilty of a Misdemeanor.

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

***

Suspension by Order in Council.

any Time before the Expiration of such Period as aforesaid, either for the giving of Notices and making Returns and preparing Lists, and also for the proceeding to ballot and enrol Men for the filling up Vacancies in the Militia, as Her Majesty shall deem expedient; and upon the issuing of any such Order all such Proceedings shall be had for carrying into execution all the Provisions of the Acts in force in *Scotland* and *Ireland* respectively relating to the giving Notices for and Returns for Lists, and for the balloting and enrolling of Men to supply any Vacancies in the Militia, and holding General and Subdivision Meetings for such Purpose, at such Times respectively as shall be expressed in any such Order in Council, or by any Directions given in pursuance thereof to Lord Lieutenants, or Deputy Lieutenants acting for Lord Lieutenants, of the several Counties, Shires, Cities, and Places in *Scotland*, or to the Governors and Deputy Governors of Counties and Places in *Ireland;* and all the Provisions of the several Acts in force in *Scotland* and *Ireland* respectively relating to the Militia shall, upon any such Order, and Direction given in pursuance thereof, become and be in full Force and be carried into execution at the Period specified in such Order or Direction as aforesaid, with all such Penalties and Forfeitures for any Neglect thereof, as fully as if such Periods had been fixed in the Acts relating to such Militia.

So much of 15 & 16 Vict. c. 50, as relates to Deputy Lieutenants raising Volunteers for the Militia repealed.

III. Sections Eleven, Fifteen, and Seventeen of the Act of the last Session of Parliament, Chapter Fifty, so far as the same respectively relate to the raising and enrolling of Volunteers for the Militia by Deputy Lieutenants, and require Deputy Lieutenants to keep or cause to be kept Entries of Persons enrolled in the Militia, and to transmit Copies of such Entries to the Clerks of General Meetings, shall be repealed: Provided always, that the Deputy Lieutenants of Counties, Ridings, and Places shall severally aid the Colonels or Commanding Officers of the Regiments, Battalions, or Corps of Militia of their respective Counties, Ridings, or Places in raising and enrolling Volunteers for such Militia in the several Parishes where such Deputy Lieutenants may be resident, and otherwise as the Lieutenants of such Counties, Ridings, or Places may from Time to Time direct, but no General or Subdivision Meeting shall be holden for that Purpose, unless such Meeting be convened pursuant to any special Order made in this Behalf by One of Her Majesty's Principal Secretaries of State.

Notices of General and Subdivision Meetings to be sent to Deputy Lieutenants by Post in lieu of being published in Gazette and Newspapers.

IV. So much of Section Twenty-one of the Act of the Forty-second Year of King *George* the Third, Chapter Ninety, as requires Notices of the Days and Places of holding General Meetings of Lieutenancy to be given in the *London Gazette* and in such Newspapers as therein mentioned, shall be repealed; and Notices of such Meetings shall be sent by the Post by the Clerk of the General Meetings to the several Deputy Lieutenants of the County, Riding, or Division Seven Days at the least before the Days appointed for holding such Meetings respectively; and any Notices of Subdivision Meetings required to be given to Deputy Lieutenants or others shall be sent by the Clerk of General

General Meetings by Post instead of being otherwise delivered or left as now by Law required.

Times and Places of Exercise to be appointed without General Meetings of Lieutenancy.

V. No General Meeting of Lieutenancy shall be holden for appointing the Times and Places of Training and Exercise of the Militia in *England*, except by the special Order of One of Her Majesty's Principal Secretaries of State; but the Times and Places of Training and Exercise of the Militiamen serving for each County, Riding, and Place in *England* shall be appointed, with the Approbation of Her Majesty, by the Lieutenant of such County, Riding, or Place, or by the Vice-Lieutenant in case of the Illness or Absence of the Lieutenant, or in case of the Non-appointment of any Vice-Lieutenant, then by Three Deputy Lieutenants authorized by Her Majesty to act as or in the Place of such Lieutenant when such Lieutenant is out of *Great Britain*, or when there is no such Lieutenant: Provided always, that nothing herein contained shall prejudice or affect the Powers vested in Her Majesty under Sections Twenty-six and Twenty-seven of the said Act of last Session.

How Notices of Times and Places of Exercise to be given.

VI. Sections Ninety and Ninety-one of the Act of the Forty-second Year of King *George* the Third shall be repealed, and Notices to Men who are enrolled in the Militia in *England* to attend Training and Exercise shall be sent, by the Order of the Colonel or Commanding Officer of the Regiment, Battalion, or Corps to which such Men belong, by the Post to the Residences of the several Men as stated on their Attestations, or as subsequently notified by them, and Public Notices shall also be sent to the Constables, Tithingmen, Headboroughs, and other Officers of the respective Parishes, Tithings, and Places in the County, Riding, or Place for which such Men are enrolled, with Directions to cause the same to be affixed on the Door or the outer Wall near the Door of every Church and Chapel in their respective Parishes, Tithings, or Places, including Places of Public Worship which do not belong to the Established Church; and if any Place have no Church or Chapel, then in such Manner as Public Notices are usually made known in such Places, and on the Doors or outer Walls as aforesaid of the Churches or Chapels of some Parish, Tithing, or Place adjoining; and every such Constable, Tithingman, Headborough, and other Officer as aforesaid shall, within Three Days after the Receipt of any such Notice, cause the same or Copies thereof to be affixed accordingly; and any such Constable, Tithingman, Headborough, or Officer who wilfully neglects so to do shall for every such Offence, on Conviction thereof before Two Justices, forfeit any Sum not exceeding Twenty Pounds; and such Notice shall be deemed a sufficient Notice to every Person enrolled by virtue of the Act of the Fifteenth and Sixteenth Years of Queen *Victoria*, Chapter Fifty, notwithstanding any Omission in the Notices by Post; and any such Man not appearing at the Time and Place appointed in any such Notice shall be subject to be punished and dealt with accordingly.

VII. Any

Penalties for fraudulent Re-enlistment.

VII. Any Militia Volunteer who, before the Expiration of his Engagement as a Militiaman in any Regiment, Battalion, or Corps, enrols or offers to enrol himself in any other Regiment, Battalion, or Corps of Militia, or in the same Regiment, Battalion, or Corps, whether by the same or by different Names (save in the Way of lawful Renewal of his Engagement), shall upon a Conviction thereof, upon the Oath of One Witness, before any One Justice of the Peace, forfeit and pay any Sum not exceeding Ten Pounds, and in default of such Payment shall be committed to the Common Gaol or House of Correction for any Time not exceeding Three Months, and shall also be liable to the Deduction out of the Bounty which he might otherwise have received in respect of his original Enlistment of a Sum equal to what he may have received upon his fraudulent Re-enlistment, and of such further Sum as the Colonel or Commanding Officer of the Regiment, Battalion, or Corps in which he may have originally enlisted shall think proper, or as the Secretary-at-War may from Time to Time direct, not exceeding the Expenses of his Attestation and Enrolment on such fraudulent Re-enlistment.

The Justice before whom a Militiaman is convicted of Enlistment in the Regular Forces or Re-enlistment in the Militia, to send Report of Conviction to Secretary-at-War.

VIII. The Justice before whom a Militia Volunteer shall be convicted of having enlisted into the Regular Forces of Her Majesty or of the *East India* Company, by which he will be subjected to a Stoppage from his Pay while serving with such Forces, or of having enrolled or offered to enrol himself in another Regiment, Battalion, or Corps of Militia, or more than once in the same Regiment, Battalion, or Corps of Militia, shall send or cause to be sent to the Secretary-at-War a Report of such Conviction, stating the Name of such Volunteer, the Regiment, Battalion, or Corps of Militia to which he belongs, the Offence of which he has been convicted, and the Sentence or Decision of the Justice thereon, and, where such Volunteer shall be imprisoned in pursuance of such Conviction, the Period when the Imprisonment will expire; and for such Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more.

Power to discharge Men from the Militia who have enlisted in the Regular Forces.

IX. It shall be lawful for the Secretary-at-War at any Time to discharge any Militia Volunteer upon such Conditions as he may from Time to Time direct, and such Volunteer shall have no Claim to future Pay or Bounty, or to release from future Attendance in the Militia any Volunteer who may have enlisted into Her Majesty's Regular Forces or into the Forces of the *East India* Company, and who has been sentenced to Imprisonment, or to Forfeiture for a Period not exceeding Eighteen Calendar Months of One Penny a Day from his Pay in such Forces; and any Man so released shall serve with the Force in which he may have enlisted in the United Kingdom or elsewhere, with the like Liabilities in all respects as any Soldier in such respective Force, and his Place in the Militia shall be supplied in like Manner as if his Term of Service as a Militiaman had expired by Efflux of Time.

Provision for withholding Payment of

X. Any Bounty which, under the Regulations made or to be made under the said Act of the last Session, may be payable during or in respect of

of Attendance at Training and Exercise shall be forfeited by any Man who wholly absents himself from such Training and Exercise without Leave lawfully granted, or Sickness, certified according to such Regulations; and any such Bounty which would otherwise be payable to any Man who partially absents himself as aforesaid without such Leave, or Sickness, certified as aforesaid, or who misconducts himself during the Training, shall be wholly withheld, or issued only in such Manner and in such Portions as the Secretary-at-War, upon the Report of the Commanding Officer, shall determine.

Bounty from Men wrongfully absent from Training.

XI. No Man by reason of his Enrolment or Service in the Militia, or in the Naval Coast Volunteers, shall lose or forfeit, or be deemed to have lost or forfeited, any Interest he may possess, or may have possessed at the Time of his so being enrolled or serving, in any Friendly or Benefit Society, any Laws, Rules, or Regulations of such Society to the contrary notwithstanding; and in case any Dispute shall arise between any such Society and any such Man by reason of such Enrolment or Service, it shall be considered as being a Dispute directed by the Rules of such Society to be decided by Justices of the Peace, pursuant to the Provisions of the Acts in force relating to Friendly Societies.

Enrolment in Militia not to cause Forfeiture of any Interest in any Benefit Society.

XII. Sections One hundred and eight and One hundred and nine of the Act of the Forty-second Year of King *George* the Third, Chapter Ninety, shall be repealed; and the Commanding Officer of any Regiment, Battalion, or Corps of Militia shall notify to the Secretary-at-War, and to the Constables, Tithingmen, Headboroughs, or other Officers of the Parishes, Tithings, and Places in which Militiamen reside who have not attended Training and Exercise, or who may have absented themselves during the Time of Training and Exercise of their respective Regiments, Battalions, or Corps, the Names and Descriptions of all such Volunteers who have so absented themselves; and it shall be lawful for any Constable, Tithingman, Headborough, or Officer, or for any Officer or Soldier in Her Majesty's Service or in the Militia, to apprehend or cause any such Volunteer to be apprehended, and to bring him or cause him to be brought before any Justice of the Peace, to be dealt with as herein-after mentioned, if the Battalion or Corps to which he belongs has ceased Training and Exercise, or to be committed to safe Custody until an Escort can be sent for him if such Regiment, Battalion, or Corps be then out for Training and Exercise; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary-at-War, specifying whether the Deserter has been committed for Imprisonment under the aforesaid Section, or is only held in safe Custody until he can be sent to the Head Quarters of his Regiment, Battalion, or Corps for Trial; and such Justice shall also send to the Secretary-at-War a Report stating the Name of the Person or Persons by whom the Deserter was apprehended and secured, and the Secretary-at-War shall transmit to such

Provision for Apprehension of Militiamen not attending or absenting themselves during Training.

Justice an Order for the Payment to such Person or Persons of such Sum not exceeding Twenty Shillings as the Secretary-at-War may think fit.

Punishment of Men not attending, or absenting themselves during Training, and not taken till after.

XIII. Every Militiaman raised under the Act of the last Session of Parliament, Chapter Fifty, (not labouring under any certified Infirmity or Incapacity,) who shall not appear at the Time and Place appointed for his being exercised according to the Provisions of this Act (Notice having been given as hereby required), or who, having joined the Regiment, Battalion, or Corps to which he belongs, or any Company or Companies or any Detachment or Division thereof, shall desert or absent himself during the Time of any such Exercise, shall be deemed a Deserter, and if not taken until after the Time of such Exercise, such Deserter shall, upon Conviction thereof before a Justice of the Peace, be liable to forfeit and pay a Sum not exceeding Ten Pounds; and if such Penalty shall not be immediately paid, the Justice of the Peace shall commit such Militiaman to the House of Correction to Hard Labour or to the Common Gaol for any Period not exceeding Three Months, or until he shall have paid the said Penalty.

Penalty for inducing Militiamen to absent themselves, or harbouring or employing Militiamen absenting themselves.

XIV. Any Person who by Words or other Means shall persuade any Militiaman improperly to absent himself from his Duty, and every Person who shall assist or procure any such Volunteer improperly to absent himself as aforesaid, or shall conceal, employ, or continue to employ any such Volunteer, knowing him to be so improperly absent, shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds.

Recovery of Penalties.

XV. All Offences for which any pecuniary Penalty or Forfeiture is by this Act imposed shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered in *England* or *Wales* under the Provisions of an Act passed in the Twelfth Year of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned, with or without Hard Labour, for any Time not exceeding Six Months; which said Act shall be used and applied in *Scotland* and in *Ireland* for the Recovery of all such Penalties and Forfeitures as fully to all Intents as if such Act had extended to *Scotland* and *Ireland*, anything in the said Act, or in an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, intituled *An Act to consolidate and amend*

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

the

the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in Ireland, to the contrary notwithstanding.

Application of certain Penalties.

XVI. One Moiety of every pecuniary Penalty or Forfeiture imposed under the said Act of the Forty-second Year of King *George* the Third, upon any Person duly convicted of buying, taking in exchange, concealing, or otherwise receiving contrary to Law any Militia Arms, Clothes, Accoutrements, or Regimental Necessaries belonging to any Militiaman, or any Public Stores or Ammunition for the Service of the Militia, and every pecuniary Penalty or Forfeiture imposed under this Act upon any Person assisting, procuring, or persuading any Militia Volunteer improperly to absent himself from his Duty, or concealing, employing, or continuing to employ any such Volunteer, knowing him to be so improperly absent, shall go to the Person who shall inform or sue for the same, and the other Moiety, or where the Offence shall be proved by the Person who shall inform then the whole, of the Penalty shall be paid over and applied in such Manner as the Secretary-at-War shall direct, anything in an Act passed in the Sixth Year of King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act, to the contrary notwithstanding; and every Justice who shall adjudge any such Penalty or Forfeiture shall, within Four Days at the furthest, report the same and his Adjudication thereof to the Secretary-at-War.

5 & 6 W. 4. c. 76.

Application of Penalties on Militiamen.

XVII. All Penalties imposed by this Act upon Militiamen (except the Deductions from Bounty, which shall be brought to Public Credit,) shall be paid to the Commanding Officers of the respective Regiments, Battalions, or other Bodies of Militia of the respective Counties, Ridings, or Places to which the Volunteer belongs, and shall be made and accounted for as Part of the Public Stock of such Regiment, Battalion, or other Body of Militia respectively.

Section 98. of 42 G. 3. c. 90. suspended.

XVIII. Section Ninety-eight of the Forty-two *George* the Third, Chapter Ninety, which requires Returns of the State of the Classes of the Men belonging to each Company of Militia called out to Exercise, shall be and remain suspended so long as the raising of the Militia by Ballot shall be suspended.

Volunteers under Instruction in the Army to be under Mutiny Act.

XIX. Any Militia Volunteer attached for a Time for the Purpose of Instruction to any Regiment, Battalion, or Depôt of Her Majesty's Forces shall for such Time be deemed to be under the Operation of the Mutiny Act, in the same Manner as any Soldier enlisted in such Regiment, Battalion, or Depôt.

Provisions (except ss. 1. 2.) not to extend to Scotland or Ireland.

XX. None of the Provisions of this Act, except Sections One and Two, shall extend to the Militia of *Scotland* or *Ireland*.

SCHE-

SCHEDULE.

DESCRIPTIVE RETURN of committed to Confinement at on the Day of as an Absentee from the Training of the Regiment of Militia.

Age - - - - -	
Height - - - - -	Feet. Inches.
Complexion - - - -	
Hair - - - - -	
Eyes - - - - -	
Marks - - - - -	
Probable Date of Enrolment, and where -	
Probable Date of absenting himself, and from what Place - - - -	
Name, Occupation, and Address of the Person by whom apprehended* - -	
Particulars in the Evidence on which the Prisoner is committed, and showing whether he surrendered or was apprehended, and in what Manner, and upon what Grounds, and whether committed for safe Custody only, or as a Deserter under the 42 G. 3. c. 90. s. 99., and if so, for what Period - -	

* It is important for the Public Service, and for the Interest of the Prisoner, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstances herein stated, and has declared in my Presence that he† absent himself from the before-mentioned Corps

——————*Signature and Address of Magistrate.*

——————*Signature of Prisoner.*

——————*Signature of Informant.*

† Insert "did" or "did not," as the Case may be.

I certify, that I have inspected the Prisoner, and consider him ‡ for Military Service.

——————*Signature of Military Medical Officer, or* ‖ *Private Medical Practitioner.*

‡ Insert "fit" or "unfit," as the Case may be; and if unfit, state the Cause of Unfitness.

‖ No Fee will be allowed to a Private Medical Practitioner where a Military Medical Officer is stationed, unless it is shown that his Services were not available.

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Printers to the Queen's most Excellent Majesty. 1853.

ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

CAP. CXXXIV.

An Act to amend the Laws concerning the Burial of the Dead in *England* beyond the Limits of the Metropolis, and to amend the Act concerning the Burial of the Dead in the Metropolis.

[20th *August* 1853.]

WHEREAS an Act was passed in the last Session of Parliament "to amend the Laws concerning the Burial of the "Dead in the Metropolis," and it is expedient to make better Provision for and in relation to Burials beyond the Limits of the said Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

15 & 16 Vict. c. 85.

I. In case it appear to Her Majesty in Council, upon the Representation of One of Her Majesty's Principal Secretaries of State, that for the Protection of the Public Health the opening of any new Burial Ground in any City or Town, or within any other Limits, save with the previous Approval of One of such Secretaries of State, should be prohibited, or that Burials in any City or Town, or within any other Limits, or in any Burial Grounds or Places of Burial, should be wholly discontinued, or should be discontinued subject to any Exception or Qualification, it shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, to order that no new Burial Ground shall be opened in such City or Town, or within such Limits, without such previous Approval, or (as the Case may require) that after a Time mentioned in the Order Burials in such City or Town, or within such Limits, or in such Burial Grounds or Places of Burial, shall be discontinued wholly, or subject to any Exceptions or Qualifications mentioned in such Order, and so from Time to Time as Circumstances may require; provided always, that Notice of such Representation, and of the Time when it shall please Her Majesty to order

On Representation of Secretary of State, Her Majesty in Council may restrain the opening of new Burial Grounds, and order Discontinuance of Burials in specified Places.

order the same to be taken into consideration by the Privy Council, shall be published in the *London Gazette*, and shall be affixed on the Doors of the Churches or Chapels of, or on some other conspicuous Places within, the Parishes affected by such Representation, One Month before such Representation is so considered: Provided also, that no such Representation shall be made in relation to the Burial Ground of any Parish until Ten Days previous Notice of the Intention to make such Representation shall have been given to the Incumbent and the Vestry Clerk or Churchwardens of such Parish.

Order not to extend to Burial Grounds of Quakers or Jews, unless expressly included.

II. No such Order in Council as aforesaid shall be deemed to extend to any Burial Ground of the People called Quakers, or of the Persons of the Jewish Persuasion, used solely for the Burial of the Bodies of such People and Persons respectively, unless the same be expressly mentioned in such Order; and nothing in this Act shall prevent the Burial in any such Burial Ground in which for the Time being Interment is not required to be discontinued of the Bodies of such People and Persons respectively; and no such Order in Council as aforesaid shall be deemed to extend to any non-parochial Burial Ground being the Property of any private Person, unless the same be expressly mentioned in such Order.

Burial not to take place after Order in Council for Discontinuance.

III. It shall not be lawful, after the Time mentioned in any such Order in Council for the Discontinuance of Burials, to bury the Dead in any Church, Chapel, Churchyard, or Burial Place, or elsewhere, within the Parts to which such Order extends, or in the Burial Grounds or Places of Burial (as the Case may be) in which Burials have by any such Order been ordered to be discontinued, except as in this Act or in such Order excepted; and every Person who shall, after such Time as aforesaid, bury any Body, or in anywise act or assist in the Burial of any Body, contrary to this Enactment, shall be guilty of a Misdemeanor.

Saving of certain Rights to bury in Vaults, &c.

IV. Provided always, That notwithstanding any such Order in Council, where by virtue of any Faculty legally granted, or by Usage or otherwise, there is at the Time of the passing of this Act any Right of Interment in or under any Church or Chapel affected by such Order, or in any Vault of any such Church or Chapel, or of any Churchyard or Burial Ground affected by such Order, and where any exclusive Right of Interment in any such Burial Ground has been purchased or acquired before the passing of this Act, it shall be lawful for One of Her Majesty's Principal Secretaries of State from Time to Time, on Application being made to him, and on being satisfied that the Exercise of such Right will not be injurious to Health, to grant Licence for the Exercise of such Right during such Time and subject to such Conditions and Restrictions as such Secretary of State may think fit, but such Licence shall not prejudice or in anywise affect the Authority of the Ordinary, or of any other Person who, if this Act had not been passed, might have prohibited or controlled Interment under such Right, nor dispense with any Consent which would have been required, nor otherwise give to such Right any greater

greater Force or Effect than the same would have had if this Act had not been passed.

V. The Provisions of this Act shall not extend to authorize the Discontinuance of Burials, or to prevent the Burial of the Body of any Person, in any Cemetery established under the Authority of any Act of Parliament, or in any Burial Ground or Cemetery to be hereafter provided with the Approval of One of Her Majesty's Principal Secretaries of State, as herein mentioned.

Not to extend to Cemeteries established by Act of Parliament, or new Burial Grounds, &c.

VI. Where by any such Order in Council as aforesaid it is ordered that no new Burial Ground shall be opened in any City or Town, or within any Limits therein mentioned, without the previous Approval of One of Her Majesty's Principal Secretaries of State, no new Burial Ground or Cemetery (parochial or non-parochial) shall be provided and used in such City or Town, or within such Limits, without such previous Approval.

New Burial Grounds not to be opened contrary to Order in Council.

VII. All the Provisions contained in the said Act of the last Session of Parliament, Chapter Eighty-five "to amend the Laws concerning "the Burial of the Dead in the Metropolis," from Section Ten to Section Forty-two (both inclusive) of the said Act, and also in Sections Forty-four, Fifty, Fifty-one, and Fifty-two of the said Act, shall extend and be applicable to and in respect of any Parish not in the Metropolis, and for the Purpose of providing a Burial Ground for any such Parish, or otherwise providing for the Interment of the Bodies of Persons who would have had Right of Interment in the Burial Ground of any such Parish, and generally in relation to every such Burial Ground to be so provided, and the Fees and Payments to be received in respect of Interment or other Rights therein and otherwise, as if such Sections were re-enacted in this Act, and the Words "in the Metropolis," wherever they occur in such Sections, or any of them, were omitted; and Section Forty-nine of the said Act shall extend to all Cemeteries already established and hereafter to be established under the Authority of Parliament in like Manner as to those mentioned in Schedule (B.) to that Act, and as respects the Cemeteries to which such Section is hereby extended, the same shall also apply in respect of Burials at the Expense of any Hospital or Infirmary in like Manner as to Burials at the Expense of a Union or Parish: Provided always, that in all Cases in which any Burial Board shall provide a new Burial Ground under the said Act of the last Session of Parliament or under this Act, that new Burial Ground shall be divided into consecrated and unconsecrated Parts in such Proportions, and the unconsecrated Part thereof shall be allotted in such Manner and in such Portions as may be sanctioned by One of Her Majesty's Principal Secretaries of State; and when any Burial Board shall by virtue of Section Thirty of the said Act build on any Burial Ground provided by such Board a Chapel for the Performance of the Burial Service according to the Rites of the United Church of *England* and *Ireland*, they shall also build, on the Portion of such Ground set apart for Burials otherwise than according to the Rites of the said Church, such Chapel Accommodation for the Performance of

Certain Provisions of Metropolitan Burial Act, 15 & 16 Vict. c. 85., extended to Parishes, &c not in the Metropolis.

Any Burial Board building a Chapel for Burials according to the Rites of the Church of England also to build a Chapel for Persons not being Members of the Church of England.

of Burial Service by Persons not being Members of the said Church as may be approved of by One of Her Majesty's Secretaries of State.

Register of Burials to be kept in every Ground provided under 15 & 16 Vict. c. 85. or under this Act. Entries to be Evidence.

VIII. All Burials within any Burial Ground provided under the said Act of the last Session of Parliament or this Act shall be registered in a Register Book to be provided by the Burial Board providing such Ground (or where the same is provided by the Commissioners of Sewers of the City of *London* then by such Commissioners), and kept for that Purpose according to the Laws in force by which Registers are required to be kept by the Rectors, Vicars, or Curates of Parishes or Ecclesiastical Districts in *England;* and such Register Book shall be so kept by some Officer appointed by the said Board or Commissioners to that Duty; and in such Register Books shall be distinguished in what Parts of the Burial Ground, and where the whole of such Burial Ground is not consecrated for Interments according to the Rites of the United Church of *England* and *Ireland*, whether in the Portion so consecrated or in the Portion not so consecrated the several Bodies (the Burials of which are entered in such Register Books) are buried; and in case such Burial Ground has been provided for more than One Parish, such Register shall be kept or indexed so as to facilitate Searches for Entries in such Books in respect of Bodies from the several Parishes; and such Register Books or Copies or Extracts therefrom shall be received in all Courts as Evidence of the Burials entered therein, and Copies or Transcripts of such Register Books, verified and signed by such Officer as aforesaid, shall be from Time to Time sent to the Registrar of the Diocese to be kept with the Copies of the other Register Books of the Parishes within such Diocese; and the said Register Books, so far as respects Searches to be made therein and Copies and Extracts to be taken therefrom, shall be subject to the same Regulations as are provided by an Act passed in the Seventh Year of King *William* the Fourth, intituled *An Act for registering Births, Deaths, and Marriages in* England, so far as such Regulations relate to Register Books of Burials kept by any Rector, Vicar, or Curate.

6 & 7 W. 4. c. 86.

Act, except ss. 7. and 8., not to extend to the Metropolis.

IX. Nothing in this Act, except the Provisions in Sections Seven and Eight, shall extend to any Parish in "the Metropolis," as defined by the said Act of the last Session, or otherwise affect the Provisions of that Act.

Extent of Act.

X. This Act shall not extend to *Scotland* or *Ireland.*

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Acts in Schedule to this Act continued till 1st Nov. 1854.

II. The Acts mentioned in the Schedule to this Act annexed shall continue in force until the First Day of *November* One thousand eight hundred and fifty-four, and no longer, unless Parliament shall in the meantime continue the same respectively.

12 & 13 Vict. c. 87.

III. And whereas by an Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Eighty-seven, it was enacted, that in every Case in which the Trustees or Commissioners of any Turnpike Road should thereafter borrow, charge, or secure any Money on the Credit of the Tolls arising on such Road, such Trustees or Commissioners should, out of the Tolls of such Road, and in priority to all other Payments except such Interest as therein mentioned, set apart a Sum of Five Pounds *per Centum per Annum* on the Amount of Money so borrowed, charged, or secured; and when and so often as the Sums so set apart should amount to Two hundred Pounds, the said Trustees or Commissioners should apply such Sum in Payment of a proportionate Part of the Monies borrowed, charged, or secured as aforesaid in manner therein mentioned: And whereas by the Act of the Session holden in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Seventy-nine, it was enacted, that where the Trustees or Commissioners of any Turnpike Road had, before the passing of the said Act of the Twelfth and Thirteenth Years of Her Majesty, borrowed, charged, or secured any Money on the Credit of the Tolls arising on such Road, and any such Money should remain unpaid and unsatisfied at the Time of the passing of the Act now in recital, such Trustees or Commissioners should, out of the Tolls of such Road, after Payment thereout of the Interest on any Monies owing on the Security of the said Tolls, and such Sums as should be required to be set apart under the said herein-before recited Enactment of the said Act of the Twelfth and Thirteenth Years of Her Majesty, and all such other Liabilities and Expenses as therein mentioned, set apart a Sum of Five Pounds *per Centum per Annum* on the Amount of Principal Money so borrowed, charged, or secured before the passing of the said Act, and remaining unpaid and unsatisfied as aforesaid, or such lesser Sum as might from Time to Time remain after such Payment as aforesaid; and when and so often as the Sum so set apart should amount to the Sum of Two hundred Pounds, the said Trustees or Commissioners should apply such Sum in or towards Payment of the Monies so borrowed, charged, or secured as aforesaid, and then remaining unpaid, in manner provided by the said Act of the Twelfth and Thirteenth Years of Her Majesty with respect to the Application of Money arising from the Sums set apart as therein mentioned in or towards the Discharge of Monies borrowed, charged, or secured after the passing of such last-mentioned Act:

13 & 14 Vict. c. 79.

It

It shall be lawful for the Trustees or Commissioners of any Turnpike Road, where it appears to them convenient so to do, to apply any Money arising from Sums set apart as required by the said recited Acts or either of them in or towards the Discharge of Debts according to the Directions of such Acts respectively, although such Monies may not amount to Two hundred Pounds; or, with the Consent in Writing of One of Her Majesty's Principal Secretaries of State under his Hand, to postpone such Application of such Monies until the same amount to any greater Sum than Two hundred Pounds, which the said Trustees or Commissioners, with such Consent as aforesaid, may determine.

Sinking Fund may be applied in Payment of Debts before it amounts to 200*l.*, or, with Consent of Secretary of State, the Application may be postponed till it amounts to a greater Sum.

IV. It shall be lawful for the Trustees or Commissioners of any Turnpike Road, where they have any surplus Monies applicable towards the Discharge of Principal Money secured on the Tolls of such Road beyond such Sums as under the said recited Acts or either of them, or under any Local Act, they are required to set apart or apply for that Purpose, to apply, if they think fit, such surplus Monies in or towards Payment of the Principal Money secured as aforesaid in manner provided by the said first-mentioned Act with respect to the Application of Monies arising from the Sums set apart as therein mentioned in or towards the Discharge of Monies borrowed, charged, or secured after the passing of that Act.

Trustees may apply Surplus in Payment of Debts in manner provided by recited Acts with respect to Sinking Funds.

V. All Executors, Administrators, Guardians, Trustees, and all Committees of the Estates of Idiots and Lunatics, who as such are for the Time being entitled to any Money charged or secured on the Tolls or Revenues of any Turnpike Road, may offer to accept and may accept under the said recited Acts or either of them, or this Act, or any Local Act, such Composition in respect of such Money or any Part thereof as they in their Discretion may deem expedient, and may in their Discretion accept any reduced or lower Rate of Interest in respect of such Money or any Part thereof, and also consent to or concur in the Extinction in whole or in part of any Arrears of Interest payable in respect of such Money or any Part thereof, as if they respectively were so entitled in their own Right, discharged of all Trusts in respect thereof; and all Executors, Administrators, Guardians, Trustees, and Committees so consenting are hereby severally indemnified for so doing.

Power to Executors, &c. to consent.

VI. And whereas by the Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Thirty-eight, it was enacted, that the Words "Implements of Husbandry" in Section Thirty-six of Chapter One hundred and twenty-six of the Statute of the Third Year of King *George* the Fourth should be

Erroneous Reference in 14 & 15 Vict. c. 38. to Sect. 36. of 3 G. 4. c. 126. in-

stead of Sect. 32. corrected.

be deemed to include "Threshing Machines:" And whereas Section Thirty-six of such last-mentioned Act was referred to by Mistake instead of Section Thirty-two of such Act:

The said Enactment of the said Act of the Fourteenth and Fifteenth Years of Her Majesty shall be read and construed as if Section Thirty-two of the Act of the Third Year of King *George* the Fourth, Chapter One hundred and twenty-six, had been mentioned instead of Section Thirty-six of such Act.

Short Title.

VII. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Annual Turnpike Acts Continuance Act, 1853."

Extent of Act.

VIII. This Act shall not apply to *Ireland.*

SCHE-

SCHEDULE.

An Act for making and maintaining a Road from Balderston to Burscough Bridge in Walton-in-le-Dale in the County Palatine of Lancaster. 54 G. 3. c. liv.

An Act for making and maintaining certain Roads from the Town of Stroud and several other Places therein mentioned, all in the County of Gloucester. 54 G. 3. c. lxxx.

An Act for repairing the Road from Potton in the County of Bedford and Gamlingay in the County of Cambridge to Eynesbury in the County of Huntingdon. 54 G. 3. c. clxxx.

An Act for repairing the Road from the Town of Stanhope, by Edmondbyers, in the County of Durham, to the Corbridge Turnpike Road near Greenhead in the Parish of Shotley in the County of Northumberland. 55 G. 3. c. x.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from Saint Martin Stamford Baron to Kettering, and from Oundle to Middleton Lane, in the County of Northampton. 56 G. 3. c. ii.

An Act for making and maintaining a Turnpike Road from the High Street in the Town of Stourbridge in the County of Worcester to the Boundary Stone between the Parish of Worfield and the Liberties of the Borough of Bridgnorth in the County of Salop. 56 G. 3. c. xvi.

An Act for enlarging the Term and Powers of certain Acts for repairing several Roads in the Counties of Worcester and Warwick, so far as relate to the Road leading from the Town of Bromsgrove to the Town of Dudley in the County of Worcester, and for making a more commodious Road near the Town of Dudley. 56 G. 3. c. lxvii.

An Act for making and keeping in repair a Carriage Road from or near the Town of Brough-under-Stainmore in the County of Westmoreland to Middleton Bridge in the Parish of Romaldkirk in the North Riding of the County of York, with a Branch from or near Chapel House to Eggleston Bridge in the same Parish. 57 G. 3. c. xlv.

An Act to enlarge the Term and Powers of Two Acts of His present Majesty, for repairing and widening the Road from the City of Gloucester to the Town of Stroud in the County of Gloucester. 59 G. 3. c. xlii.

An Act for repairing and improving the Trowbridge Roads in the Counties of Wilts and Somerset. 59 G. 3. c. xliv.

An Act to enlarge the Term and Powers of an Act of His late Majesty, for making and maintaining the Road from near Lightpill Gate in the Parish of Rodborough to near Birdlip in the Parishes of Brimpsfield and Cowley, or One of them, all in the County of Gloucester. 1 G. 4. c. xx.

An Act for more effectually improving the Road from Greenhead, through Haltwhistle, Hexham, and Corbridge, to the Military Road near Shildon Bar, and for making a Branch Road from Corbridge to Heddon-on-the-Wall, all in the County of Northumberland; and for altering the Line of a certain Part of the said first-mentioned Road. 1 G. 4. c. xxv.

1 G. 4. c. xliv. An Act to enlarge the Term and Powers of several Acts, for repairing and widening the Roads from Milford in the County of Surrey through Petworth, to the Top of Dunckton Hill, and from Petworth to Stopham Bridge in the County of Sussex.

1 & 2 G. 4. c. lxxxiii. An Act for repairing the Roads from Tetbury to Symondshall, from Frocester Hill to Dunkirk, and from the Latterwood to Nailsworth, and other Roads therein mentioned, all in the County of Gloucester.

3 G. 4. c. lxi. An Act for amending and improving the Roads leading from Tiltup's Inn in the Parish of Horsley to or near Dudbridge in the Parish of Rodborough, and from the Bridge at Nailsworth to the Cross Post on Minchinhampton Common, and other Roads thereto adjoining, and for making a new Piece of Road from the said Bridge to the Cross in the Parish of Avening, all in the County of Gloucester.

3 G. 4. c. lxiii. An Act to enlarge the Term and Powers of several Acts, for repairing and widening the Road from the Market House in Tetbury to the Turnpike Road on Minchinhampton Common; and several other Roads therein mentioned, all in the County of Gloucester, so far as the same Acts relate to the Second District of Roads therein mentioned.

3 G. 4. c. xc. An Act for more effectually repairing the Road from the Guide Post near the End of Drayton Lane near Banbury in the County of Oxford to the House called the Sun Rising, at the Top of Edge Hill in the County of Warwick.

4 G. 4. c. lxxvii. An Act for more effectually repairing the Wadsley and Langset Turnpike Road, and extending the same in Two Lines to join the Huddersfield and Woodhead Turnpike Road in the Townships of Upperthong and Honley in the West Riding of the County of York.

4 G. 4. c. lxxxi. An Act for amending and keeping in repair the Roads from Dover to Barham Downs, and from Dover to the Town of Folkestone, and from thence through the Parish of Folkestone to Sandgate in the County of Kent.

5 G. 4. c. vi. An Act for more effectually repairing, improving, and maintaining the Road leading from Thirsk to Yarm in the County of York.

5 G. 4. c. liv. An Act for repairing and improving the Road from Back Lane in the Parish of Scartho to Hollowgate Head in the Parish of Louth in the County of Lincoln.

5 G. 4. c. cxli. An Act for repairing and amending the Road from the Town and Borough of Buckingham to the Oxford and Northampton Turnpike Road at Lord's Field Gate near the Town of Towcester.

6 G. 4. c. xiv. An Act for making and maintaining a Turnpike Road from the City of Winchester to the Town of Petersfield in the County of Southampton.

6 G. 4. c. xxiii. An Act for making and maintaining a Turnpike Road from Cainscross, through Stroud, over Rodborough and Minchinhampton Commons, to the Town of Minchinhampton, with several Branches therefrom, all in the County of Gloucester.

6 G. 4. c. xxxix. An Act for more effectually repairing the Roads from the Gloucester Hotel in the Town of Brighthelmstone, through the Towns of Cuckfield and Crawley to the County Oak on Lovell Heath, and certain other Roads therein mentioned;

tioned; and also for making and maintaining a Branch of Road from Ansty Cross in the Parish of Cuckfield to West Grinsted; all in the County of Sussex.

An Act for more effectually repairing and improving the Roads from Sheet Bridge to Portsmouth, and from Petersfield to the Alton and Alresford Turnpike Road near Ropley in the County of Southampton; and for making and maintaining a new Branch of Road to communicate therewith. 6 G. 4. c. lxxxvii.

An Act for making and maintaining a Road from Godalming, through Hascomb, to Pains Hill in the County of Surrey. 7 G. 4. c. xiii.

An Act for making and maintaining a Turnpike Road from South Shields to White Mere Pool, and from thence to join the Durham and Newcastle Turnpike Road at Vigo Lane, with a Branch from Jarrow Slake to East Boldon, all in the County of Durham. 7 G. 4. c. xvii.

An Act for making and maintaining a Turnpike Road commencing at or near a certain House called the Shrewsbury Arms, situate at Hinderton in the Township of Little Neston, by way of Upton, and terminating in the Township of Hoose, and from Upton aforesaid to the Township of Birkenhead, and also certain Branches of Road to communicate therewith, all in the County Palatine of Chester. 7 G. 4. c. xix.

An Act for making and maintaining a Road from Ridghill and Lanes in the Parish of Ashton-under-Lyne in the County Palatine of Lancaster to or near to Holehouse in Saddleworth in the West Riding of the County of York. 7 G. 4. c. xxi.

An Act for more effectually repairing and maintaining the Road from Chapel-en-le-Frith to or near to Enterclough Bridge in the County of Derby, and other Roads therein mentioned, in the said County of Derby and in the County Palatine of Chester. 7 & 8 G. 4. c. xxv.

An Act for making and maintaining a Turnpike Road from Wotton-under-Edge, through Kingswood, to Wickwar, and Branch Roads therefrom, all in the Counties of Gloucester and Wilts. 7 & 8 G. 4. c. c.

An Act for more effectually repairing and improving the Roads from Kipping's Cross to Wilsley Green, and from a Place near Goudhurst Gore to Stilebridge, and from Underden Green to Wanshutts Green, all in the County of Kent. 9 G. 4. c. xvi.

An Act for repairing, improving, and maintaining in repair the Turnpike Roads from Wat's Cross to Cowden, and from Sevenoaks Common to Crockhurst Hatch Corner, and from Penshurst Town to Southborough, in the County of Kent. 9 G. 4. c. cviii.

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likewise to present a Sum sufficient to pay the annual Interest of such Sum or Sums to be so expended, and from Time to Time remaining due, at such Rate (not exceeding Five Pounds *per Centum*), and likewise to include in such Presentment a sufficient Sum to defray the Expenses attendant upon obtaining an Examination and Report for the Information and Satisfaction of the Commissioners of Public Works in *Ireland* for the Purpose herein-after mentioned, and to set forth in such Presentment what Part thereof shall be raised upon any Barony or Baronies in such County, or on the County at large; and the Treasurer of such County, County of a City, or County of a Town, shall and he is hereby authorized and required from Time to Time, without further Authority or Presentment in that Behalf, to issue his separate Warrant for or include in his general Warrant, at each Assizes or Presenting Term (if in the County of *Dublin*), such Portion or Portions of the whole Sum so presented, together with such Sum for Interest thereon, as may be necessary for the Purpose of paying the Instalments and Interest as aforesaid to any Party or Person who may, with the Sanction of the Commissioners of Public Works as herein-after provided, have made any Advance on the Faith of such Presentment, and the Sum or Sums inserted in such Warrant shall be raised and levied from and off the Barony or Baronies or County at large named in such Presentment and Warrant, in like Manner, from Time to Time, and with like Remedy in case of Nonpayment, as other Monies directed by any Warrant of such Treasurer are by Law to be or may be levied; and it shall be lawful for any such Grand Jury in every such Presentment to nominate and appoint a Committee, of not less than Three or more than Five Persons, to treat and agree and contract for a Loan with any Party or Person willing to make the same on the Security of such Presentment, and for the Rate of Interest which shall be paid on any such Loan, and otherwise to carry the said Presentment into effect, and every such Presentment may be in the Form in the First Schedule to this Act annexed.

Grand Jury to appoint Committee to carry Presentment into effect.

II. Provided however, That it shall not be lawful for any Party or Person to make any Advance on the Faith of any such Presentment until the Work for which such Presentment shall be made shall be sanctioned and approved by the said Commissioners of Public Works, such Sanction and Approval to be signified under the Hand of the Secretary of the said Commissioners for the Time being, to the Secretary of the Grand Jury, and all Money advanced under the Authority of this Act on the Credit of any such Presentment shall entitle the Party or Person advancing the same or his legal Personal Representative or Assignee to be repaid with Interest in the Manner herein-before mentioned; and such Advance shall be paid over

Such Presentment to be subject to the Approval of the Commissioners of Public Works.

over to the County Bank to the Credit of the Treasurer of such County, County of a City, or County of a Town, and accounted for by him in like Manner as any other Monies by him received for the Use of such County, and all Securities given by him shall extend to such Monies: Provided always, that any such Presentment as aforesaid shall be subject to the like Conditions as regards the previous Application to and Approval of the Justices and Cesspayers at Presentment Sessions, and to the like Traverse and all other Proceedings thereon, as other Grand Jury Presentments, but that after such Presentment shall be made and fiated it shall not be lawful for any Grand Jury to restrain the issuing of the Warrants which the Treasurer of such County, County of a City, or County of a Town ought from Time to Time to issue agreeably to the Provisions of this Act.

Committee to treat and agree for Loan.

III. When and so soon as any such Presentment as aforesaid shall have been duly certified by the Acting Clerk of the Crown, and the Sanction of the Commissioners of Public Works shall have been certified by the Secretary of the Grand Jury to the Committee so nominated and appointed therein, it shall be lawful for such Committee or any Three or more of them to treat, agree with, and contract for a Loan or Advance by any Party or Person willing to make the same on the Faith of such Presentment, to the Amount thereof or such Part thereof as may be necessary, and also to agree and contract for the Rate of Interest (not exceeding the Limit aforesaid) to be paid in respect of such Loan or Advance, and the Terms of every such Contract and Agreement shall be reduced to Writing, on a certified Copy of such Presentment, and signed by the said Committee, or any Three or more of them, and by the Party or Person making such Loan or Advance, and delivered over to such Party or Person, and held by him as Security for every such Advance, until the whole of the Sum actually advanced, with Interest thereon as agreed upon, shall be fully paid off and discharged.

Treasurer of County to pay Party advancing on the Faith of Presentment.

IV. Every such Treasurer shall and he is hereby required to pay to the Party or Person who may have advanced Money on the Security of any such Presentment all and every such Sum as shall be received from the Baronial and other Collectors, by virtue of the Presentment and Warrants issued as aforesaid, until the whole Sum advanced shall be repaid, together with Interest thereon, to the Party or Person who may have advanced the same: Provided always, that all Monies in the Treasurer's Hands shall also be applicable and be applied to pay the Instalments of Principal, with Interest thereon, according to the Terms of any such Presentment and the Contract and Agreement as aforesaid, and if it shall happen that any Money shall have been raised by virtue of any such Presentment which will not

not be required for the Purposes for which it shall have been so raised, the same shall be carried to the Credit of the County, County of a City, or County of a Town, or Barony from which it shall have been raised.

Where the Powers of the Grand Jury for Presentment are transferred to the Council of a Borough, such Council shall have the same Powers as a Grand Jury under this Act.

V. Provided always, That where under any Act of Parliament the Powers, Rights, and Duties of the Grand Jury of any County of a City or County of a Town in relation to the Appointment of Presentment Sessions, and the presenting and levying of Rates and Cesses for any Purpose, have been or shall hereafter be transferred to the Council of any Borough, the Council of such Borough shall have all the Powers and Authorities hereby vested in the Grand Jury of a County, and the Money included in any Presentment or Order to be made by such Council under this Act shall be raised in such Borough in manner by Law provided with respect to Money required for such Purposes in relation to which the Powers of the Grand Jury may be transferred as aforesaid to such Council; and the Certificate of the Town Clerk of such Borough on any such Presentment or Order shall be as effectual as the Certificate of the Acting Clerk of the Crown in the Case of a Presentment by the Grand Jury of a County.

Grand Jury may present Expenses incurred in Matters of Business.

VI. That in addition to the Purposes for which Grand Juries may now by Law present, it shall be lawful for the Grand Jury of any County, County of a City, or County of a Town to present to be levied off the County at large, such Sum or Sums of Money as may be incurred in defending such County on the Trial of any Traverse or other Proceedings in which such Grand Jury may consider the Rights of the Cess-payers should be defended and protected, and also such Sums as may be necessary for any Costs incurred in the Conduct and Management of any Matter of Business which any such Grand Jury may consider right and proper for the Interests or Benefit of such County should be confided to and conducted by any Counsel, Solicitor, or Agent: Provided, however, that no such Presentment shall be made unless there shall have been laid before such Grand Jury a Bill duly taxed and certified by the proper Taxing Officer of the Costs incurred for any of the Purposes aforesaid for which such Presentment shall be required.

1 & 2 W. 4. c. 33.
6 & 7 W. 4. c. 108.
2 & 3 Vict. c. 50.
9 & 10 Vict. c. 3.

VII. And whereas under and by virtue of an Act of the Session holden in the First and Second Years of King *William* the Fourth, Chapter Thirty-three, an Act of the Session holden in the Sixth and Seventh Years of the same Reign, Chapter One hundred and eight, an Act of the Session holden in the Second and Third Years of Her Majesty, Chapter Fifty, an Act of the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter Three, and an

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an Act of the Session holden in the Tenth and Eleventh Years of Her Majesty, Chapter Seventy-five, certain Harbours, Piers, Quays, Landing Places, and other Works in *Ireland* have been constructed or improved by the Commissioners of Public Works in *Ireland* wholly or in part with Public Money: And whereas, under and by virtue of the said last-mentioned Act, and an Order made by the said Commissioners of Public Works, dated the Sixth Day of *February* One thousand eight hundred and forty-nine, and published in the *Dublin Gazette* of *Friday* the Sixteenth of *February* in the same Year, several Harbours, Piers, Quays, Landing Places, and other Works on the Sea Coast of *Ireland* which within Forty-five Years before the passing of such Act had been made, wholly or in part, with Public Money advanced for the Improvement of the Fisheries, have become vested in such Commissioners, and the Counties liable to be charged with the Cost of the Repair and Maintenance of such Works (in case of the Insufficiency of the Tolls, Rates, or Rents accruing thereout,) are set forth in such Order: And whereas it is expedient to provide for the future Maintenance and Preservation of all the said Harbours, Piers, Quays, Landing Places, and Works constructed or improved by the said Commissioners of Public Works as aforesaid, and of the like Works which may be hereafter constructed or improved by such Commissioners under the said Acts, and also of the Works so vested in the said Commissioners as aforesaid, which said Harbours, Piers, Quays, Landing Places, and Works heretofore constructed or improved as aforesaid, and vested in the said Commissioners as aforesaid, are respectively mentioned in the Second Schedule to this Act annexed:

10 & 11 Vict. c. 75.

Commissioners of Public Works may transfer Harbours, Piers, Quays, &c. to Grand Juries of Counties.

It shall be lawful for the said Commissioners of Public Works (by and with the Consent and Direction of the Commissioners of Her Majesty's Treasury), by Warrant under the Hands of the said Commissioners of Public Works or any Two of them, from Time to Time to direct that any Harbour, Pier, Quay, Landing Place, or other Work mentioned in the said Schedule, or which at any Time hereafter shall be erected, constructed, or made, altered or improved, by the said Commissioners of Public Works, out of the Sums of Fifty thousand Pounds and Forty thousand Pounds granted by the said Acts of the Ninth and Tenth and Tenth and Eleventh Years of Her Majesty, or any Land at, about, or adjoining such Harbour, Pier, Quay, or Landing Place purchased by and vested in the said Commissioners under the Provisions of the said Acts or either of them, shall be deemed and become the public Property of the County in which such Harbour, Pier, Quay, Landing Place, or other Work may be situate, and from and after the Date of any such Warrant such Harbour, Pier, Quay, Landing Place, or other Work, together with all Ways, Rights, Members, and Appurtenances thereto belonging, and such Land, shall be deemed and taken to be the public Property of such County, and be held,

maintained, and preserved by the Grand Jury of the County mentioned in such Warrant in like Manner as any public or County Road or Bridge within such County the Expense of which is or may be chargeable to such County or any Barony thereof: Provided always, that nothing in this Provision contained shall in any Manner affect, alter, or abridge the Powers of the said Commissioners of Public Works under the said Acts of the Ninth and Tenth and the Tenth and Eleventh Years of Her Majesty, or either of them, for the raising, levying, and recovering the Amount specified in any Final Award made or to be made by the said Commissioners of Public Works, and therein stated to have been advanced by way of Loan, or the Interest thereof: Provided also, that the Tolls and Rates to be levied and paid for the Use of any such Harbour, Pier, Quay, Landing Place, or other Work shall be from Time to Time fixed by the said Commissioners of Public Works, with the Approbation of the Commissioners of Her Majesty's Treasury; but all such Tolls and Rates shall belong to the County in which such Work may be situate, and shall be levied, collected, and applied, under the Direction of the Grand Jury of such County, and Payment thereof may be enforced by such Person as they may appoint to receive the same, in like Manner as Payment of the Tolls or Rates for the Use of such Work as aforesaid may, under the said Acts or any of them, be enforced by the said Commissioners of Public Works, or their Lessees or Officers: Provided also, that nothing in this Provision, or in any Warrant of the said Commissioners for making any such Harbour, Pier, Quay, Landing Place, or other Work, the public Property of any such County as aforesaid, shall prevent the said Commissioners of Public Works from exercising the Powers contained in the said Acts of the Sixth and Seventh Years of King *William* the Fourth and of the Ninth and Tenth Years of Her Majesty, in respect to the making, altering, or repealing of any Byelaws, Rules, Orders, and Regulations, as therein mentioned, or in anywise affect the Powers or Provisions of the said Acts in relation to such Byelaws, Rules, Orders, or Regulations, but such Powers may be exercised by the said Commissioners of Public Works, in respect to any such Harbour, Pier, Quay, Landing Place, or other Work, as if no such Warrant had been executed for vesting any such Pier, Harbour, Quay, Landing Place, or other Work in any such County as aforesaid.

Nothing to alter or abridge Powers of Commissioners for recovering Monies advanced by way of Loan, and Interest thereon.

Tolls and Rates to be fixed by Commissioners of Public Works, with Approbation of the Treasury.

Nothing to affect Powers of Commissioners of Public Works to make Byelaws, &c.

VIII. It shall be lawful for the Grand Jury of any County in which any such Harbour, Pier, Quay, Landing Place, or other Work may be situate to present to be raised off the County at large, or any Barony or Baronies therein, such Sum and Sums of Money as may from Time to Time be necessary for the Repair and Maintenance of any

Grand Jury may present for Repairs of Harbours, Piers, Quays, &c.:

any such Work which may become the Property of any such County as aforesaid, and to contract for the Maintenance and Repair of any such Work for any Term not exceeding the Term of Seven Years, and, without any Application to Presentment Sessions, to present to be raised off such County at large, Barony or Baronies, from Time to Time for the Amount necessary to pay the Person or Persons with whom any such Contract shall be made.

and enter into Contracts for Repairs of such Harbours, &c.

IX. It shall be lawful for the Grand Jury of the County in which any such Harbour, Pier, Quay, Landing Place, or other Work may be situate to appoint, from Time to Time as Occasion shall require, a proper Person, at such Salary as they may think fit, not exceeding the Sum of Twenty Pounds *per Annum*, for enforcing the Byelaws, Rules, Orders, and Regulations (if any) which shall or may be made by the Commissioners of Public Works respecting any such Work, and for the Purpose of settling all Disputes which may arise with respect to the Occupation or Use and the due and proper Care and Preservation of any such Harbour, Pier, Quay, Landing Place, or other Work; and such Person so to be appointed shall be called "the Harbour Constable," and shall have, for the Purposes aforesaid or any of them, in addition to the Powers hereby or by any such Byelaws given, the same Rights, Powers, and Authorities as if he had been appointed to and formed Part of the Constabulary Force established in and for any County in *Ireland*; and it shall be lawful for the Grand Jury of any such County to present for the Amount of the Salary so agreed to be paid to any such Harbour Constable, without any Application to Presentment Sessions.

Grand Jury to appoint "Harbour Constable" for enforcing Byelaws, and for Care and Conservancy of Work.

Grand Jury to present for Salary of "Harbour Constable."

X. One Half of every Sum of Money levied as a Fine or Penalty under the Provisions of the said Acts of the Sixth and Seventh Years of King *William* the Fourth and the Ninth and Tenth Years of Her Majesty, or either of them, or under or in respect of any Byelaw heretofore made or which shall be made by the said Commissioners of Public Works, in respect of any such Harbour, Pier, Quay, Landing Place, or other Works, which shall become the Property of any such County, shall be paid to the Informer or Person who shall be the Means of bringing to Justice any Person offending against such Acts or either of them or such Byelaw as aforesaid, and the remaining Half shall be paid to the Treasurer of the County in which any such Harbour, Pier, Quay, Landing Place, or other Work shall be situate, to be by him brought to the Credit of such County.

Application of Penalties in respect of Piers, Harbours, &c.

XI. In case the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall signify to the Commissioners of Her Majesty's Treasury that any such Harbour, Pier, Quay, Landing Place,

Commissioners of Public Works may execute Works of Repair of

Harbours, Piers, Quays, &c. in certain Cases.

Place, or other Work which may become the Property of any such County as aforesaid is not kept and maintained in good and proper Repair by the Grand Jury of the County in which any such Work may be situate, or that any sudden Breach or Damage has occurred to any such Work, it shall and may be lawful for the Commissioners of Her Majesty's Treasury in any such Case, if they think fit, on an Estimate being laid before them by the Commissioners of Public Works or any Two of them, setting forth what Sum will be requisite and necessary from Time to Time for the Repair of any such Harbour, Pier, Quay, Landing Place, or other Work, and stating the Situation of such Harbour, Pier, Quay, Landing Place, or other Work, and of the Repairs required for the same, to direct that any such Sum or Sums of Money required by such Commissioners of Public Works, or any Part thereof, be advanced and paid to such Commissioners out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to be applied, under the Directions of the said Commissioners of Public Works, in the repairing of any such Harbour, Pier, Quay, Landing Place or other Work.

Mode of Repayment of Money expended on such Repairs.

XII. Whenever any such Harbour, Pier, Quay, Landing Place, or other Work shall be repaired under the Direction of the said Commissioners of Public Works, the said Commissioners or any Two of them shall certify to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* the total Amount of the Expense incurred by such Repair, and thereupon the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or in his Absence the Under Secretary, shall certify to the Secretary of the Grand Jury of any County within which any such Harbour, Pier, Quay, Landing Place, or other Work shall be situate, the Amount of Money which shall have been expended upon the Repair of such Harbour, Pier, Quay, Landing Place, or other Work within any and every such County respectively out of the Advances authorized by this Act; and every such Certificate shall be laid before the Grand Jury of any and every such County at the next Assizes after the Date of such Certificate of the Chief or Under Secretary, and thereupon the Grand Jury shall present for the Amount of such Expenses as stated in such Certificate to be raised off such County at large, or any Barony or Baronies therein; and when and as soon as the Sum so to be presented as aforesaid shall be raised and received by the Treasurer of any such County, such Treasurer shall pay over the same to the Paymaster of Civil Services in *Ireland*, or in such Manner as the Commissioners of Her Majesty's Treasury shall direct.

XIII. And

XIII. And whereas in and by the said Act of the Tenth and Eleventh Years of Her Majesty it was enacted, that the said Commissioners of Public Works, with the Approval of the Commissioners of Her Majesty's Treasury, might, if they thought fit, out of the Funds therein mentioned, advance by way of Grant any Part of the Expenses of the First Repair of any Harbour, Pier, Quay, Landing Place, or other Work vested in them under such Act, and previously to such First Repair such Proceedings should be had and taken as by the said Act of the Ninth and Tenth Years of Her Majesty are required to be previously had or taken in the Case of any new Pier, Quay, Harbour, or other Work the Expense of which was partly to be paid by any County or District: And whereas it is expedient to amend the said Provision:

So much of 10 & 11 Vict. c. 75. as relates to Proceedings previous to First Repairs of Piers, &c. repealed.

So much of the said Act of the Tenth and Eleventh Years of Her Majesty as directs that, previous to such First Repair of any Harbour, Pier, Quay, Landing Place, or other Work vested in the said Commissioners of Public Works, such Proceedings shall be had and taken as by the said Act of the Ninth and Tenth Years of Her Majesty are required to be previously had or taken in the Case of any new Pier, Quay, Harbour, or other Work the Expense of which is partly to be repaid by any County or District, shall be repealed, save as to any Matter or Thing heretofore done under such Provision.

Harbours, Piers, Quays, &c. may be repaired by Commissioners of Public Works at any Time previous to same being transferred to the County.

XIV. Previously to the Time when any Harbour, Pier, Quay, Landing Place, or other Work shall become the public Property of any County as aforesaid, it shall and may be lawful for the said Commissioners of Public Works, with the Sanction and Approval of the Commissioners of Her Majesty's Treasury, if they think fit, out of the Residue now remaining unapplied of the several Sums of Fifty thousand Pounds and Forty thousand Pounds in and by the said Acts of the Ninth and Tenth and the Tenth and Eleventh Years of Her Majesty granted for the Purposes of the said Acts, to apply such Sum of Money as may in the Opinion of the said Commissioners of Public Works be necessary for the Repair of such Harbour, Pier, Quay, Landing Place, or other Work without charging such Sum or any Part thereof on such County.

9 Vict. c. 3.

XV. And whereas in and by the said Act of the Ninth and Tenth Years of Her Majesty it was enacted, that any Sum of Money which under the Final Award of the said Commissioners of Public Works should be payable by any County in respect of Monies advanced by way of Loan for or in respect of any Work under the Provisions of the said Act should be payable by the Grand Jury of such County, and the Secretary of the said Commissioners should certify to the Secretary of such Grand Jury the Amount of such Sum of Money, and the Instalments and Manner by and in which the same was payable under

the Award of said Commissioners, and such Grand Jury was required, without Application to Presentment Sessions, to make Presentment of the Amount of such Costs, Charges, and Expenses, or of the Instalments from Time to Time payable in respect thereof, as stated in such Certificate, together with Interest, as therein mentioned, to be raised off the County at large; and it is by said Act also enacted, that any Sum of Money which under such Final Award should be payable by any District in respect of Monies advanced by way of Loan for or in respect of any Work under the Provisions of said Act, with Interest thereon, as therein mentioned, should be charged upon the Occupiers of and other Persons rateable in respect of Lands and Hereditaments within such District, and rated as therein mentioned, and should be payable either in One Sum, or by Instalments, as specified in such Award, by the Ratepayers therein mentioned, the same to be assessed and levied as therein mentioned: And whereas it is expedient to make other Provision for the Collection and Repayment of all Sums which under any Final Award of the said Commissioners should be payable by any County or by any District in respect of Monies advanced by way of Loan for or in respect of any Work executed under the Provisions of the said last-mentioned Act:

Monies payable by County or District under Award to be presented by Grand Jury

Where any Sum of Money under the Final Award of the said Commissioners already made, or hereafter to be made, is or shall be payable by any County and District, or either of them, in respect of Monies advanced by way of Loan for or in respect of any Harbour, Pier, Quay, Landing Place, or other Work, under the Provisions of the said Act of the Ninth and Tenth Years of Her Majesty, or of this Act, the same shall be payable by the Grand Jury of such County; and the Secretary of the said Commissioners shall certify to the Secretary of such Grand Jury the Amount of such Sum of Money, and the Instalments and Manner by and in which the same is payable, under the Award of the said Commissioners; and such Grand Jury are hereby required, without Application to Presentment Sessions, to make Presentment of the Amount mentioned in such Certificate to be payable at the Times and in the Manner stated in such Certificate, to be raised off the County at large and District, or either of them, as the Case may be; and in default of such Presentment, the Court, at such or the next Assizes, shall order the Amount mentioned in such Certificate to be raised off such County and District, or either of them, as the Case may be, and such Order shall have the Force and Effect of a Presentment; and the Treasurer of such County shall insert such Amount as shall be so presented or ordered as aforesaid in his Warrant or Warrants, and the same shall be applotted, raised, and levied, sued for and recovered, by such and the same Ways and Means as any Grand Jury Cess; and when and so soon as such Amount as aforesaid shall be raised and received by the

the Treasurer of the County, such Treasurer shall immediately pay the same to the Paymaster of Civil Services in *Ireland* for the Time being, and the same shall be by him paid over and applied, in such Manner as the Commissioners of Her Majesty's Treasury shall from Time to Time direct, in discharge of the Loan mentioned in any such Award, and chargeable to such County and District, or either of them.

Monies payable under Awards by Proprietors to be paid to the Paymaster of Civil Services.

XVI. Any Sum of Money which under any such Final Award shall be payable by any Proprietor of Lands in respect of Monies advanced by way of Loan for or in respect of any Work under the Provisions of the said Act of the Ninth and Tenth Years of Her Majesty, together with Interest for such Sum, as by the said Act provided, from the Date of such Award, shall be paid and payable to the Paymaster of Civil Services in *Ireland* for the Time being, and the same shall be by him paid over and applied, in such Manner as the Commissioners of Her Majesty's Treasury shall from Time to Time direct, in discharge of the Loan, and Interest thereon, chargeable on the Lands of such Proprietor, as mentioned in any such Award: Provided always, that nothing herein contained (save as lastly herein-before mentioned) shall in any Manner alter or affect the Provisions of the said Act with respect to Repayment of such Loan or the Recovery thereof in case of Nonpayment of the same.

6 G. 4. c. 101.

XVII. And whereas by an Act of the Sixth Year of King *George* the Fourth, Chapter One hundred and one, Provision was made for the Repair and Maintenance of certain Roads and Bridges in *Ireland* made wholly or in part at the Public Expense, and by the said Act of the First and Second Years of King *William* the Fourth the said Act of King *George* the Fourth, which had expired, was revived, and the Repair and Maintenance of such Roads and Bridges placed under the Direction of the said Commissioners of Public Works: And whereas the several Roads and Bridges which have been made by the said Commissioners of Public Works under the said Act of the First and Second Years of King *William* the Fourth, and the Acts amending the same, have hitherto been maintained by the said Commissioners of Public Works, and the Expenses incurred in such Maintenance have from Time to Time been repaid by means of Grand Jury Presentment by the Counties in which such Roads are respectively situate: And whereas it is expedient that the Maintenance of all the said Roads and Bridges should be transferred to the respective Counties in which such Roads or Bridges may be situate:

Roads and Bridges hitherto maintained

All Roads and Bridges in *Ireland* heretofore maintained and repaired by the said Commissioners of Public Works, under the said Acts of the Sixth Year of King *George* the Fourth and the First and Second

by Commissioners of Public Works vested in Grand Jury.

Second Years of King *William* the Fourth, and also all Roads and Bridges heretofore made by the said Commissioners, either wholly or in part at the Public Expense, by means of free Grants, under the said Act of the First and Second Years of King *William* the Fourth, or any of the Acts amending the same, and heretofore maintained by the said Commissioners of Public Works, shall from and after the First Day of *July* next ensuing be considered and deemed public County Roads and Bridges the Property of the Counties in which such Roads and Bridges shall be respectively situate, and the same Roads and Bridges respectively shall be kept in repair and maintained as public County Roads and Bridges within such Counties respectively are now kept in repair and maintained: Provided always, that when any such Bridge shall be situate partly in One County and partly in another, the Expense of repairing and maintaining such Bridge shall be borne and defrayed equally between such Counties, and Presentments made accordingly.

Existing Contracts for Maintenance and Repairs of Roads and Bridges transferred to Grand Jury.

XVIII. And whereas Contracts or Agreements have been entered into by the said Commissioners of Public Works with certain Persons for the Maintenance and Repairs of certain of the said Roads and Bridges, and which Contracts are still subsisting, and it is expedient to make due Provision for the same:

From and after the said First Day of *July* all the Benefit and Obligation to which the said Commissioners of Public Works may be entitled or subject under any Contract entered into with them, and then in force, for the Repair of any such Road or Bridge as aforesaid, and under any Bond or other Instrument as a Security for the Performance of any such Contract, shall, without any Act or Deed whatever to be done by the said Commissioners of Public Works or any other Person, become transferred to and vest in the Grand Jury of the County in which any such Road or Bridge to which such Contract shall relate shall be situate, and every such Contract, Bond, or other Instrument may be proceeded upon by or on behalf of such Grand Jury, or at their Instance, in the same Manner as if such Contract, Bond, or other Instrument had been entered into in pursuance of the Provisions of the several Acts relating to the Presentment of Public Monies by Grand Juries in *Ireland* for the Repairs of Roads or Bridges, and every Person who entered into such Contract shall be entitled to the full Benefit of such Contract, as against such Grand Jury, and the same shall be as binding on such Grand Jury as if the same were entered into with such Grand Jury, and from and after the said First Day of *February* the Liability of the said Commissioners of Public Works in respect to any such Contract shall cease and determine.

XIX. And

XIX. And whereas by an Act of the Session holden in the Sixth and Seventh Years of King *William* the Fourth, Chapter Thirty-five, certain Roads therein mentioned or referred to, passing to, from, and between the General Post Office in the City of *Dublin* and the Harbour at *Howth*, were, with the said Harbour and other Works and Matters therein mentioned, vested in the Commissioners acting in execution of the said Act of the First and Second Years of King *William* the Fourth, now the Commissioners of Public Works in *Ireland*, the same to be thenceforth repaired, maintained, and supported by the said Commissioners, as therein mentioned: And whereas it is no longer necessary or expedient that the said Roads should continue to be repaired and maintained by the said Commissioners of Public Works:

6 & 7 W. 4. c. 35.

From and after the First Day of *October* next so much of the said Act of the Sixth and Seventh Years of King *William* the Fourth as vests in the said Commissioners of Public Works the said Road from *Dublin* to *Howth*, and enacts that the same shall be repaired, maintained, and supported by such Commissioners, and provides that Payments shall be made as therein mentioned to such Commissioners for the Repairs of such Roads, shall be repealed; and the said Road from *Dublin* to *Howth* (save that Part commonly called the *North Strand*, herein-after specially provided for,) shall be vested in and maintained and kept in repair by the Trustees respectively acting in execution of the several Acts passed by the Parliament of *Ireland* in the Twenty-sixth, Twenty-eighth, Twenty-ninth, Thirty-first, Thirty-second, Thirty-third, and Thirty-eighth, Years of King *George* the Third, in the said Act of the Sixth and Seventh Years of King *William* the Fourth, Chapter Thirty-five, mentioned or referred to, and of the Act of the Fifty-sixth Year of King *George* the Third, in the same Act of the Sixth and Seventh Years of King *William* the Fourth also mentioned or referred to, and of any other Act or Acts of Parliament respecting the said Roads, in the same Manner, and with, subject to, and under the same Powers, Authorities, and Provisions, as if the Act of the Fourth Year of King *George* the Fourth, Chapter Seventy-four, relieving such Trustees from the Burden of the Repair of the said Road, and providing for the Repair thereof by the Commissioners therein mentioned, and any subsequent Act providing for such Repair by any other Commissioners, had not been passed.

Road from Dublin to Howth (save that Part commonly called the North Strand) vested in and to be maintained by the Trustees of the Road.

XX. From and after the said First Day of *October* the said Road commonly called and known as the *North Strand*, commencing at the *Circular Road* near to the City of *Dublin*, and ending at *Annesley Bridge*, shall be considered a public Road within the County of the City of *Dublin*, and be maintained and kept in repair in

Portion of Road from Dublin to Howth called North Strand to be deemed a public Road.

Presentment for Repairs and Maintenance thereof to be made.

in like Manner and subject to the like Provisions as all other Roads being within the said County of the City of *Dublin*, and any Sum of Money which may appear by the Certificate of the said Commissioners of Public Works to be now due and owing to the said Commissioners for Repairs heretofore made to the said Road shall be presented for by the Council of the Borough of *Dublin*, in like Manner as they are now authorized to present for Monies for the Repairs of any Road within the County of the City of *Dublin*, to be paid to the said Commissioners of Public Works at such Times as shall be mentioned in such Certificate.

Interpretation.

XXI. The Term "Treasurer," when used in this Act, shall, as regards the County of *Dublin*, be held to signify the Finance Committee; and the Instalments herein directed to be raised half yearly shall, as regards the said County of *Dublin*, be held to signify yearly; and the Amount of each Instalment, exclusive of Interest, to be not less than Ten *per Cent.* of the whole Amount of the Sum presented.

FIRST

FIRST SCHEDULE.

County of } Assizes.
to wit. } 18 .

We the Grand Jury of the County of duly assembled and sworn at the Assizes, held at . in and for the said County on the Day of , in pursuance of

Insert the Act or Acts enabling the Grand Jury to present for the Work, the Years of the Queen's Reign, and the Chapter and Section of each Act respectively, as printed by the Queen's Printers.

do present the Sum of , for the Purpose of

State for what the Presentment is.

And further, in pursuance of the Powers to us in that Behalf given in and by an Act of the Victoria, intituled [*here state Title of this Act*], and to enable us to borrow the said Sum of from any Party or Person who may advance such Sum; and, in order to repay the same, we do present that the said Sum be raised and levied upon

State the Barony or Baronies or County at large, as the Case may be.

by half-yearly Instalments of

The Instalments cannot be less than 10*l.* per Cent. per Annum of the whole Sum to be presented.

each, the First of said Instalments to be raised after the present Assizes, and the remaining Instalments after the next and each and every successive Assizes, until the whole of the said Sum shall be raised and discharged: And further, in pursuance of the Powers in the said Act contained, we do further present the Sum of

Insert a Sum sufficient to pay the annual Interest which will accrue during the Period of the Loan.

to be raised upon the

State Barony or Baronies or County at large.

The Sum borrowed.

to pay the annual Interest of the said Sum of or of such Part of the same as shall from Time to Time remain due, at such Rate not exceeding Five per Cent., as may be agreed upon; and we present the said Sum of

The Sum above presented for Interest.

to be raised half yearly in such Sums as may be from Time to Time required to satisfy

satisfy the Interest of so much of the said Principal Sum as shall be and remain due after the Application of the Sums presented to be levied for its Satisfaction, One of such Sums or Instalments to be raised upon the

State Barony or Baronies or County at large.

, after the present and every

Ditto.

future Assizes, and the other upon

after the next and every future Assizes, in the next and each succeeding Year, until such Principal Sum shall have been fully paid as aforesaid:

An adequate Sum to be here inserted in the Presentment, beyond the Estimate for the Works, to cover the Expenses of the Investigations of the Officers of the Board of Works.

And further, for the said Purpose and to defray the Expenses attendant upon obtaining an Examination and Report for the Information and Satisfaction of the Commissioners of Public Works in Ireland, as provided for by the said Act, we do further present a Sum of

As before.

to be raised upon , immediately after the present Assizes, and to be paid to the Treasurer for that Purpose:

And we nominate and appoint

Insert here the Names of not less than Three or more than Five Persons to act as a Committee.

to treat and agree and contract for a Loan with any Party or Person willing to make the same on the Security of this Presentment, and for the Rate of Interest which shall be paid on such Loan, and otherwise to carry this Presentment into effect.

SECOND

SECOND SCHEDULE referred to in the foregoing Act.

Where situate.	Harbour, Pier, Quay, or other Work, as the Case may be.	County in which situate.
Cahore - -	Pier - -	Wexford.
Arthurstown - -	Pier or Landing Quay -	Wexford.
Ballinacourty - -	Pier - - -	Waterford.
Harbour of Kinsale -	Quay at Worldsend -	Cork.
Cove of Kinsale - -	Quay - -	Cork.
Courtmacsherry - -	Pier - - -	Cork.
Glandore - -	Pier - - -	Cork.
Baltimore - -	Pier - - -	Cork.
Cape Clear - -	Pier - -	Cork.
Bear Island - -	Pier at Laurence Cove -	Cork.
Bearhaven - -	Pier at Castletown -	Cork.
Coulagh Bay - -	Pier - - -	Cork.
Kenmare - -	Pier - -	Kerry.
Caherciveen - -	Pier - -	Kerry.
Castlemaine - -	Pier - - -	Kerry.
Kilbaha - - -	Pier - - -	Clare.
Liscannor - -	Pier - - -	Clare.
Burren - -	Pier - - -	Clare.
Dooros - -	Pier - - -	Galway.
Ardfry - -	Pier - -	Galway.
Kilcolgan - -	Pier - - -	Galway.
Claddagh - -	Piers - - -	County of the Town of Galway.
Barna - -	Pier - - -	Galway.
Spiddle - -	Pier - - -	Galway.
Greatmans Bay - -	Pier on the Island of Gorumna.	Galway.
Killeany in the Island of Aran.	Pier - - -	Galway.
Bealadangan - -	The Pass of Bealadangan	Galway.
Roundstone - -	Pier - - -	Galway.
Clifden - -	Pier - - -	Galway.
Clegan Bay - -	Pier - -	Galway.
Leenane Killary Bay -	Pier - - -	Galway.
Cashla Bay - -	Pier - - -	Galway.
Clew Bay - -	Pier at Old Head -	Mayo.
Clare Island - -	Two small Piers -	Mayo.
Achill Sound - -	Pier - - -	Mayo.
Blacksod Bay - -	Pier at Tarmon -	Mayo.
Belmullet - -	Pier - - -	Mayo.
Blacksod Bay - -	Pier at Saleen - -	Mayo.
Raghley - -	Pier - - -	Sligo.
Bruckless - -	Pier - -	Donegal.
Newport - -	Pier - - -	Donegal.
Killybegs - -	Quays - -	Donegal.
Teelin Harbour - -	Pier - - -	Donegal.
Rathmullen - -	Pier - - -	Donegal.
Greencastle - -	Pier - - -	Donegal.

Where situate.	Harbour, Pier, Quay, or other Work, as the Case may be.	County in which situate.
Portmuck - -	Pier - -	Antrim.
Carrickfergus - -	Pier - - -	County of Town of Carrickfergus.
Lambay Island - -	Pier - - -	Dublin.
Island of Inishturk -	Pier - -	Mayo.
Broadhaven - -	Pier - -	Mayo.
Dooniver - -	Pier - - -	Mayo.
Clear Bay - -	Pier at Roigh - -	Mayo.
Cashla Bay - -	Pier - - -	Galway.
Ballyvaughan - -	Pier - -	Clare.
Annalong - -	Harbour, Pier, Wharf, and Breakwater.	Down.
Arran Island - -	Pier and Landing Slip -	Galway.
Quay Village, Brandon Bay	Pier - -	Kerry.
Ballycotten - -	Pier - - - -	Cork.
Ballyness - - -	Pier - - -	Donegal.
Bunowen - -	Pier - - -	Galway.
Bamaderrig - -	Landing Slip and Wharf	Galway.
Bunatruhan - -	Landing Slip - -	Donegal.
Blackwater - -	Pier and Roadway -	Kerry.
Ballywalter - -	Pier and Roadway -	Down.
Ballynagane - -	Pier and Landing Slip -	Waterford.
Carlingford - -	Pier and Roadway -	Louth.
Courtown - -	Screw Pile Pier -	Wexford.
Portoriel, Clogher Head -	Harbour -	Louth.
Cushendall (Red Bay) -	Pier - - -	Antrim.
Dingle - -	Pier - - -	Kerry.
Dunany - -	Pier - - -	Louth.
Duncannon - -	Pier and Approach -	Wexford.
Errislannan, or Loughawn Lea.	Dock - - -	Galway.
Fethard - -	Pier - - -	Wexford.
Greystones -	Landing Wharf -	Wicklow.
Greenane - -	Pier - - -	Kerry.
Helvick Head - -	Landing Slip and Basin	Waterford.
Kilkieran - -	Pier - - -	Galway.
Knightstown (Valencia) -	Pier and Breakwater -	Kerry.
Kilmakilloge - -	Pier - - -	Kerry.
Kilmore - -	Pier - - -	Wexford.
Moville - - -	Pier - - -	Donegal.
Newport - - -	Quay Wall - -	Mayo.
Newcastle - -	Pier and Breakwater -	Down.
Portorablahy - -	Pier - - -	Donegal.
Rosroe - -	Pier - - -	Galway.
Rush - -	Pier - - -	Dublin.
Sea View (Mountcharles)	Pier - - -	Donegal.
Slade - - -	Pier - - -	Wexford.
Skull - - -	Pier and Approach -	Cork.
Tarrea - - -	Pier and Approach -	Galway.
Ventry - -	Pier and Landing Slip -	Kerry.

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ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

CAP. CXXXVII.

An Act for the better Administration of Charitable Trusts. [20th *August* 1853.]

WHEREAS it is expedient to provide Means for securing the due Administration of Charitable Trusts, and for the more beneficial Application of Charitable Funds in certain Cases: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Her Majesty empowered to appoint Charity Commissioners, Secretary, and Inspectors.

I. It shall be lawful for Her Majesty and Her Successors, by Warrant under the Royal Sign Manual, to appoint Four Commissioners, and also One Secretary and Two Inspectors for the Purposes of this Act, and upon any Vacancy by the Death, Resignation, or Removal of any Commissioner, Secretary, or Inspector under this Act, from Time to Time in like Manner to appoint another Person to succeed to such Vacancy, and until a fresh Appointment shall be made it shall be lawful for the surviving or continuing Commissioners, in case of any Vacancy, to act as if no such Vacancy had occurred; and Three of the said Commissioners shall hold Office during good Behaviour; and the Fourth, and every Secretary and Inspector to be appointed under this Act, shall hold Office during the Pleasure of Her Majesty.

 II. The

Qualification of Commissioners.

II. The said Three Commissioners so holding Office during good Behaviour shall be paid as herein-after mentioned, and Two at least of the said paid Commissioners for the Time being shall be Barristers-at-Law of not less than Twelve Years standing at the Time of their respective Appointments, and One of such Barristers shall be the Chief Commissioner, and shall be so called and distinguished in his Appointment.

Officers of the Board.

III. The said Commissioners, with the Sanction of the Commissioners of Her Majesty's Treasury, shall from Time to Time appoint such Clerks and Messengers as the said Commissioners may think fit, and all Persons appointed under this Provision shall hold their Offices during the Pleasure of the said Commissioners.

Salaries.

IV. There shall be paid to the said paid Commissioners, and to the said Secretary, Inspectors, Clerks, and Messengers, such Salaries not exceeding for the Chief Commissioner the annual Sum of One thousand five hundred Pounds, and for each of the other paid Commissioners the annual Sum of One thousand two hundred Pounds, and for the said Secretary the annual Sum of Six hundred Pounds, and for each of the said Inspectors the annual Sum of Eight hundred Pounds, as shall be from Time to Time allowed by the Commissioners of Her Majesty's Treasury, who may also allow to every Commissioner, Inspector, and other Person appointed for the Purposes of this Act such reasonable Travelling and other Expenses as may be incurred by him in the Execution of his Office, and the said Salaries and Expenses, and the incidental Expenses of the said Board, shall be paid out of any Monies which may be from Time to Time provided by Parliament for that Purpose: Provided always, that after the Thirty-first Day of *March* in the Year One thousand eight hundred and fifty-seven, the said annual Salary shall be paid to One only of the said Commissioners besides the said Chief Commissioner.

No paid Commissioner, Secretary, or Inspector to sit in House of Commons.

V. No paid Commissioner, Secretary, or Inspector to be appointed under this Act shall be capable of sitting in the House of Commons during the Tenure of his Office.

Style of Commissioners, who may sit as a Board.

VI. The said Commissioners to be appointed under this Act shall be styled "The Charity Commissioners for *England* and *Wales*," and may have and use a Seal for authenticating Documents, and such Commissioners shall sit from Time to Time as a Board for carrying this Act into execution; and any Two of such Commissioners may form a Board, and may exercise all or any of the Powers conferred on the Commissioners or the Board by this Act.

VII. The

VII. The said Board shall, by General Minutes, from Time to Time prescribe Regulations for their Proceedings, and the Proceedings of their Inspectors, and concerning the Form and Manner of Applications to the said Board, and the Conditions to be performed by Applicants, and for the Guidance of Applicants in relation thereto, and all such General Minutes shall be signed by Three of the said Commissioners at the least; and Copies of all such General Minutes shall be laid before both Houses of Parliament within Fourteen Days after the making thereof if Parliament be sitting, or if Parliament be not sitting, then within Fourteen Days after the next Meeting thereof.

Board to frame General Minutes.

VIII. The said Board shall cause Minutes of their Proceedings, and all Orders, Certificates, and Schemes, made or approved by them under this Act, to be entered in Books to be provided and kept for such Purpose, and all such Entries shall be signed by their Secretary, and all Copies purporting to be extracted from the Books of the said Board, and to be certified by their Secretary, of any such Minutes, Orders, Certificates, and Schemes entered as aforesaid, shall be received as Evidence of the Proceedings to which such Minutes shall relate, and of such Orders, Certificates, or Schemes, and of the making or Approval thereof (as the Case may require) by the said Board, without further Proof thereof.

Minutes of Proceedings and Orders, &c. to be entered, and Copies of Entries signed by the Secretary to be received in Evidence

IX. It shall be lawful for the said Board from Time to Time, as they in their Discretion may see fit, to examine and inquire into all or any Charities in *England* or *Wales*, and the Nature and Objects, Administration, Management, and Results thereof, and the Value, Condition, Management, and Application of the Estates, Funds, Property, and Income belonging thereto; and the said Board may cause Examinations and Inquiries in relation to the Matters aforesaid to be made and prosecuted by their Inspectors, acting together or separately, in such Cases and at such Times as the said Board may think fit; and all such Inspectors shall from Time to Time report their Proceedings to the said Board.

Board to inquire into Condition and Management of Charities.

X. The said Board may require all Trustees or Persons acting or having any Concern in the Management or Administration of any Charity, or the Estates, Funds, or Property thereof, to render to the said Board, or to their Inspectors, or either of them, Accounts and Statements in Writing in relation to such Charity, or the Funds, Estates, Property, Income, or Monies thereof, or the Administration, Management, and Application thereof, and may also require such Trustees and Persons to return Answers in Writing to any Questions or Inquiries addressed to them by the Direction of the said Board relating to the Matters aforesaid.

Power to require Accounts and Statements.

XI. All

Officers having Custody of Records to furnish Copies and Extracts, if required by Board.

XI. All Officers having the Custody of Enrolments, Decrees, Reports, Records, and other Documents relating to or concerning any Charity shall furnish such Copies or Extracts as shall be required by the said Board; and every Inspector, Secretary, and other Officer of the said Board for the Time being employed for the Purposes of this Act shall be at liberty, by the Authority and under the Directions of the Board, and subject to such Regulations as the Board may make in that Behalf, to examine and search the Registers and Records of every Court of Law and Equity, and every Ecclesiastical Court, and every public Registry and Office of Records, and to take Copies of and Extracts from any Decree or Document recorded or registered or deposited therein respectively, for any Purpose contemplated by this Act, without Fee or other Payment in respect thereof.

Inspector may examine Witnesses on Oath.

XII. Any Inspector acting under the Authority of the said Board may, by Precept under his Hand, subject to such Regulations as the said Board may make in that Behalf, require any Person, being a Trustee of any Charity or otherwise acting or having any Concern in the Management or Administration of any Charity, or of the Estates, Funds, or Property thereof, or in the Receipt or Payment of the Income or Monies thereof, or deriving any Income or Stipend therefrom, to attend before such Inspector for the Purpose of being examined by him touching or relating to such Charity, or the Estates, Funds, Property, or Income thereof, at any Time and Place mentioned or appointed by such Precept, and to bring and produce any Deed, Paper, Writing, Instrument, or other Document, being in the Custody, Possession, or Power of such Person, and relating to such Charity, or the Estates, Funds, Property, or Income thereof, and may examine upon Oath all Persons attending in pursuance of such Precept, and all Persons voluntarily attending before him, and may administer such Oath: Provided always, that no Person shall be obliged to travel in obedience to any such Precept more than Ten Miles from his Place of Abode.

Persons giving false Evidence guilty of a Misdemeanor.

XIII. If any Person wilfully give false Evidence upon any Examination under this Act, every Person so offending shall be deemed guilty of a Misdemeanor.

Person refusing to render Accounts, &c. to be deemed guilty of a Contempt of Court.

XIV. If any Person from whom the said Board, or any Inspector, is authorized to require any Account or Statement or Answers to any Questions or Inquiries, or whose Attendance any Inspector is authorized to require, shall refuse or wilfully neglect to render to the said Board such Account or Statement, or to make Answers to such Questions or Inquiries, or to attend in obedience to any lawful Precept

cept of any Inspector or to give Evidence before him, or shall wilfully alter, destroy, withhold, or refuse to produce any Deed, Paper, Writing, Instrument, or other Document which may be lawfully required to be produced before any Inspector or the said Board, every Person so offending shall be deemed and taken to have been guilty of a Contempt of the High Court of Chancery, and shall be liable to be attached and committed by such Court on summary Application by the Commissioners to the same, and shall pay the Costs of and attending such Contempt as the said Court shall direct.

Saving for Persons claiming adversely to Charities.

XV. Provided always, That nothing herein contained shall extend to give to the said Board or their Inspectors any Power of requiring from any Person holding or claiming to hold any Property whatsoever adversely to any Charity, or free or discharged from any Charitable Trust or Charge, any Information, or the Production of any Deed or Document whatever in relation to the Property so held or claimed adversely, or any Charitable Trust or Charge alleged to affect the same.

Board to entertain Applications for their Opinion or Advice.

XVI. The said Board shall receive and consider all Applications which may be made to them by any Trustee or other Person having any Concern in the Management or Administration of any Charity, for their Opinion, Advice, or Direction respecting such Charity, or the Management or Administration thereof, or the Estates, Funds, Property, or Income thereof, or the Application thereof, or any Question or Dispute relating to the same respectively, and, if they so think fit, may, upon any such Application, give such Opinion or Advice as they think expedient, subject to any Judicial Order or Direction which may be subsequently made or given by any competent Court or Judge; and such Opinion or Advice shall be in Writing, signed by Two or more of the said Commissioners, and sealed with the Seal of the said Commission; and every Trustee and other Person who shall act upon or in accordance with the Opinion or Advice given by the said Board shall in respect of so acting be deemed and taken, so far as respects his own Responsibility, to have acted in accordance with his Trust; and no such Judicial Order or Direction subsequently made or given by any Court or Judge shall have any such retrospective Effect as to interfere with or impair the Indemnity by this Act given to Trustees and other Persons who have acted upon or in accordance with such Opinion or Advice of the said Board: Provided always, that nothing herein contained shall extend to indemnify any Trustee or other Person for any Act done in accordance with the Opinion or Advice of the said Board, if such Trustee or other Person have been guilty of any Fraud or wilful Concealment or Misrepresentation in obtaining such Opinion or Advice.

Persons acting on Advice of Board to be indemnified.

XVII. Before

Notice of legal Proceedings as to any Charity by any Person, except the Attorney General, to be given to the Board.

XVII. Before any Suit, Petition, or other Proceeding (not being an Application in any Suit or Matter actually pending) for obtaining any Relief, Order, or Direction concerning or relating to any Charity, or the Estate, Funds, Property, or Income thereof, shall be commenced, presented, or taken, by any Person whomsoever, there shall be transmitted by such Person to the said Board, Notice in Writing of such proposed Suit, Petition, or Proceeding, and such Statement, Information, and Particulars as may be requisite or proper, or may be required from Time to Time, by the said Board, for explaining the Nature and Objects thereof; and the said Board, if upon Consideration of the Circumstances they so think fit, may, by an Order or Certificate signed by their Secretary, authorize or direct any Suit, Petition, or other Proceeding to be commenced, presented, or taken with respect to such Charity, either for the Objects and in the Manner specified or mentioned in such Notice, or for such other Objects, and in such Manner and Form, and subject to such Stipulations or Provisions for securing the Charity against Liability to any Costs or Expenses, and to such other Stipulations or Provisions for the Protection or Benefit of the Charity, as the said Board may think proper; and such Board, if it seem proper to them, may by such Order or Certificate as aforesaid require and direct that any Proceeding so authorized by them in respect of any Charity, shall be delayed during such Period as shall seem proper to and shall be directed by such Board; and every such Order or Certificate may be in such Form and may contain such Statements and Particulars as such Board shall think fit and (save as herein otherwise provided) no Suit, Petition, or other Proceeding for obtaining any such Relief, Order, or Direction as last aforesaid shall be entertained or proceeded with by the Court of Chancery, or by any Court or Judge, except upon and in conformity with an Order or Certificate of the said Board: Provided always, that this Enactment shall not extend to or affect any such Petition or Proceeding in which any Person shall claim any Property or seek any Relief adversely to any Charity.

Courts not to entertain Proceedings as to Charities, except upon Certificate of the Board.

Saving for the Attorney General acting ex officio.

XVIII. Provided always, That it shall be lawful for Her Majesty's Attorney General acting *ex officio* to make such Applications, and take and prosecute such Proceedings with respect to any Charity, in the Court of Chancery or otherwise as to him may seem fit, as if this Act had not been passed; and that nothing in this Act contained shall be construed as dispensing with the Fiat or Allowance of Her Majesty's Attorney General, with respect to any Proceeding not being an Application under the Jurisdiction created by this Act where such Fiat or Allowance was necessary before the passing of this Act.

XIX. Pro-

XIX. Provided also, That where upon any Report of any Inspector under this Act or otherwise it appears to the said Board that any Suit, Petition, or other Proceeding concerning or relating to any Charity, or the Estate, Funds, Property, or Income thereof, would be proper or expedient, it shall be lawful for the said Board by their Order to authorize or direct such Suit, Petition, or Proceeding to be commenced, presented, or taken, and to give such Directions in relation thereto as the said Board may think proper; and thereupon such Suit, Petition, or Proceeding may be commenced, presented, or taken accordingly, without any such previous Notice in Writing as hereinbefore mentioned; and the said Board, before giving any such Opinion, Advice, or Direction upon any such Application as aforesaid, or making any such Order or Certificate after Notice to them as aforesaid, may, where local Inquiry appears to them to be requisite, cause such Inquiry to be made by One of their Inspectors; and the said Board may, in any Case where they see fit, before acting upon the Report of any Inspector, cause such Report to be deposited for local Inspection, and give Notice of the same being so deposited, and consider any Statements or Objections which may be transmitted to them in relation thereto.

Board may, upon the Report of an Inspector, authorize Proceedings, where no Notice has been given to them, and may in other Cases cause local Inquiries by their Inspector.

XX. In any Case in which it shall appear to the said Board that the Institution of legal Proceedings is requisite or desirable with respect to any Charity, or the Estates, Funds, Property, or Affairs thereof, and that under the Circumstances thereof it is desirable that such Proceedings should be instituted by the Attorney General, it shall be lawful for the said Board, if they so think fit, to certify such Case, in Writing under the Hand of the Secretary of the said Board, to Her Majesty's Attorney General, together with such Statements and Particulars (if any) as in the Opinion of the said Board may be requisite or proper for the Explanation of such Case; and thereupon the said Attorney General, if upon Consideration of the Circumstances he think fit, shall institute and prosecute such legal Proceedings as he shall consider requisite or proper under the Circumstances of such Case, by Information or Petition in the Court of Chancery, or by Application to a Judge thereof at Chambers, or to a District Court of Bankruptcy, or County Court under the Jurisdiction given by this Act.

Power for Board to certify certain Cases to the Attorney General.

XXI. If in any Case it appear to the Trustees or Persons for the Time being acting in the Administration or Management of any Charity, or the Estates or Property thereof, that any Part of the Charity Lands or Estates may be beneficially let on Building Repairing, Improving, or other Leases, or on Leases for working any Mine, or that the digging for or raising of Stone, Clay, Gravel, or

Board may sanction Building Leases, working Mines, doing Repairs and Improvements;

or other Minerals, or the cutting of Timber, would be for the Benefit of the Charity, or that it would be for the Benefit of such Charity that any new Road or Street should be formed or laid out, or any Drains or Sewers made through any Part of the Charity Estates, or that any new Building should be erected, or that any existing Building should be repaired, altered, rebuilt, or wholly removed, or that any other Improvements or Alterations in the State or Condition of the Lands or Estates of such Charity should be made, it shall be lawful for such Trustees or Persons to lay before the said Board a Statement and Proposal in relation to any of the Matters aforesaid; and it shall be lawful for the said Board, if they think that the Leases or Acts to which the Statement and Proposal relate (with or without Modifications or Alterations) would be beneficial to the Charity, to make such Order under their Seal for and in relation to the granting of such Leases, or the doing of any other such Acts as aforesaid, and any Circumstances connected therewith, as they may think fit, although such Leases or Acts respectively shall not be authorized or permitted by the Trust; and the said Board, by any such Order, may authorize the Application of any Monies or Funds belonging to the Charity for any of the Purposes or Acts aforesaid, and, if necessary, may authorize the Trustees to raise any Sum of Money by Mortgage of all or any Part of the Charity Estates; provided that compulsory Provisions be reserved in every such Mortgage for the Payment of the Principal Money borrowed by annual Instalments, and for the Redemption and Re-conveyance of the mortgaged Estates, within the Period of not more than Thirty Years.

and may authorize the Application of the Charity Funds or the raising of Money on Mortgage for those Purposes.

Commissioners to authorize Trustees to remove Officers.

XXII. It shall be lawful for the Board, upon Proof to their Satisfaction that any Schoolmaster or Schoolmistress or other Officer of any Charity has been negligent in performing his or her Duties, or that he or she is unfit or incompetent to discharge them properly, either from immoral Conduct, Age, or any other Cause whatsoever, to empower the Trustees of such Charity to remove such School Master or Mistress or other Officer, and to charge the Salary of his or her Successors, or any other Portion of the Revenues of the Charity, with such Retiring Pension or Allowance, if any, in favour of the Person so removed, and generally to impose such Conditions as to the said Board shall appear proper: Provided always, that where there shall be any special Visitor of the Charity, the Consent of such Visitor, in Writing under his Hand, shall be necessary in order to such Removal.

Board may sanction Compromise of Claims on

XXIII. If in any Case it appear to the Trustees or Persons acting in the Administration of any Charity that any Claim or Demand or Cause of Suit against any Person in relation to such Charity

Charity may, with Advantage to the Charity, or should, under the special Circumstances of the Case, be compromised or adjusted without taking or without continuing any Proceedings at Law or in Equity, such Trustees or Persons may, or the Person against whom such Claim, Demand, or Cause of Suit exists or is alleged to exist, may, with the Consent of the Trustees or Persons acting in the Administration of such Charity, submit to the said Board a Statement and Proposal for such Compromise or Adjustment; and if it appear to the said Board after such Inquiry in relation thereto by one of their Inspectors, as they may deem requisite, or otherwise, that such Proposal, either with or without any Modification, is fit and proper, and for the Benefit of the Charity, it shall be lawful for the said Board to make such Order for and in relation to such Compromise or Adjustment as they may think fit; and upon the due Performance of the Terms and Conditions of such Compromise or Adjustment as aforesaid, such Agreement shall be a final Bar to all Actions, Suits, Claims, and Demands by or on behalf of the Charity concerned therein, in respect to the Cause of Action, Suit, or Matter in respect to which such Compromise or Adjustment shall have been made.

behalf of Charity.

XXIV. Upon Application to the said Board by the Trustees or Persons acting in the Administration of any Charity, representing to the said Board that, under the special Circumstances of any Land belonging to the Charity, a Sale or Exchange of such Land can be effected on such Terms as to increase the Income of the Charity, or would otherwise be advantageous to the Charity, such Board may, if they think fit, inquire into such Circumstances, and if after Inquiry they are satisfied that the proposed Sale or Exchange will be advantageous to the Charity may authorize the Sale or Exchange, and give such Directions in relation thereto, and for securing the due Investment of the Money arising from any such Sale, or by way of Equality of Exchange for the Benefit of the Charity, as they may think fit.

Board, under special Circumstances, may authorize Sale or Exchange of Charity Lands.

XXV. The said Board shall have Authority, upon such Application as aforesaid, to authorize the Sale to the Owners of the Land charged therewith of any Rentcharge, Annuity, or other periodical Payment charged upon Land and payable to or for the Benefit of any Charity, or applicable to Charitable Purposes, upon such Terms and Conditions as they may deem beneficial to the Charity, and to give such Directions for securing the due Investment of the Money arising from such Sale for the Benefit of the Charity, or for securing the due Application thereof to such Charitable Purposes, as they may think fit; and in like Manner the Trustees of any Charity, with the

Board may authorize the Redemption of Rentcharges.

the Consent of the Board, may purchase any Rentcharge or other yearly Payment to which the Charity Estate is or shall be liable.

Leases, Sales, &c. authorized by the Board to be valid.

XXVI. The Leases, Sales, Exchanges, and other Transactions authorized by such Board under the Powers of this Act shall have the like Effect and Validity as if they had been authorized or directed by the express Terms of the Trust affecting the Charity.

Trustees of Charities enabled to purchase Sites for building from Owners under Disability, &c., according to the Provisions of Lands Clauses Consolidation Act, 1845.

XXVII. Where any Land shall be required for the Erection or Construction of any House or Building with or without Garden, Playground, or other Appurtenances, for the Purposes of any Charity, and the Trustees of the Charity shall be legally authorized to purchase and hold such Land, but by reason of the Disability of any Person having an Estate or Interest in such Land, or of any Defect in Title thereto, a valid and perfect Assurance of the same Land cannot be made to the Trustees of the Charity in the ordinary Manner, it shall be lawful for the Trustees of the Charity, with the Sanction of the said Board (such Sanction to be certified under the Hand of their Secretary), to take and purchase such Land according to the Provisions of "The Lands Clauses Consolidation Act, 1845;" and for that Purpose all the Clauses and Provisions of the last-mentioned Act with respect to the Purchase of Lands by Agreement, and with respect to the Purchase Money or Compensation coming to Parties having limited Interests, or prevented from treating, or not making a Title, and also with respect to Conveyances of Lands, so far as the same Clauses and Provisions respectively are applicable to the Cases contemplated by this Provision, shall be incorporated in this Act; and in all Cases contemplated by this Provision, the Expression "the Special Act" used in the said Clauses and Provisions of the said "Lands Clauses Consolidation Act" shall be construed to mean this Act; and the Expression "the Promoters of the Undertaking," used in the same Clauses and Provisions, shall be construed to mean the Trustees of the Charity in question.

In Cases of Charities the Incomes of which exceed 30*l.*, Master of the Rolls and Vice Chancellors, upon Applications to them at Chambers, to have the same Jurisdiction as the

XXVIII. Where the Appointment or Removal of any Trustee, or any other Relief, Order, or Direction relating to any Charity of which the gross annual Income for the Time being exceeds Thirty Pounds, shall be considered desirable, and such Appointment, Removal, or other Relief, Order, or Direction might now be made or given by the Court of Chancery, in respect either of its ordinary or its special or statutory Jurisdiction, or by the Lord Chancellor intrusted with the Care and Commitment of the Custody of Lunatics, it shall be lawful for any Person authorized in this Behalf by the Order or Certificate of the said Board, or for the Attorney General,

General, to make Application (without any Information, Bill, or Petition,) to the Master of the Rolls or One of the Vice Chancellors sitting at Chambers, for such Order, Direction, or Relief as the Nature of the Case may require; and the Master of the Rolls or the Vice Chancellor to whom any such Application shall be made shall and may proceed upon and dispose of such Application in Chambers, save where he may think fit otherwise to direct, and shall and may have and exercise thereupon all such Jurisdiction, Power, and Authority, and make such Orders and give such Directions in relation to the Matter of such Application, as might now be exercised, made, or given by the Court of Chancery or by the Lord Chancellor intrusted as aforesaid, in a Suit regularly instituted, or upon Petition, as the Case may require; and the Master of the Rolls and Vice Chancellors respectively shall, in relation to such Applications as aforesaid, and the Proceedings thereon, (subject to any Rules which may be made by the Lord Chancellor, with the Advice and Consent of them or any Two of them,) have all such Powers of directing Matters to be heard in open Court, and of ordering what Matters shall be heard and investigated by themselves and their Chief Clerks respectively, and such other Powers and Authorities as by the Act of the last Session of Parliament, Chapter Eighty, are vested in or authorized to be exercised by them at Chambers, and the Provisions of the said Act applicable to Orders made by the Master of the Rolls or any of the Vice Chancellors at Chambers shall extend to all Orders so made under this Act: Provided always, that, save as may be otherwise provided by any Rules to be made by the Lord Chancellor, with such Advice and Consent as aforesaid, the Determinations of the Master of the Rolls and Vice Chancellors respectively upon and in relation to such Applications as aforesaid shall not be subject to Appeal in any Case where the gross annual Income of the Charity does not exceed One hundred Pounds: Provided also, that it shall be lawful for the Master of the Rolls or any Vice Chancellor, where under the Circumstances of any Application as aforesaid he may so see fit, to direct that for obtaining the Relief, Order, or Direction sought for by such Application an Information, Bill, or Petition, as the Case may require, shall be filed or presented and prosecuted as now by Law required, and to abstain from further Proceeding on such Application.

Court of Chancery or Lord Chancellor now has upon Information, &c.

15 & 16 Vict. c. 80.

XXIX. The Jurisdiction created and given by this Act to the Master of the Rolls and the Vice Chancellors sitting in Chambers, upon any Application to them respectively as aforesaid, shall extend concurrently to and may be exercised by the Chancellor of the Duchy and County Palatine of *Lancaster*, and the Vice Chancellor of the same County Palatine respectively for the Time being,

Provision as to Charities within the Jurisdiction of the Court of Chancery of the County Palatine of Lancaster.

being, as to every Charity within the Jurisdiction of the Court of Chancery of the said County Palatine whose gross annual Income for the Time being exceeds Thirty Pounds, upon Application being made to such Chancellor or Vice Chancellor respectively; and it shall be lawful for the Chancellor of the said Duchy and County Palatine, with the Concurrence of the Vice Chancellor of the same County Palatine, from Time to Time to make and issue any Rules and Orders for regulating the Modes of proceeding, and the Fees to be taken in respect of Proceedings under this Act.

Provisions as to Charities exceeding 30*l.* per Annum to extend to Charities in London not exceeding 30*l.*

XXX. Provided always, That the Provisions of this Act applicable to any Charity the gross annual Income whereof exceeds Thirty Pounds shall extend to any Charity established or administered or applicable to or for Objects or Purposes within the City of *London* the gross annual Income whereof does not exceed Thirty Pounds, in like Manner as if such Income exceeded that Amount.

Lord Chancellor, with the Advice of Master of the Rolls and Vice Chancellors, or Two of them, to make General Orders.

XXXI. It shall be lawful for the Lord Chancellor, with the Advice and Consent of the Master of the Rolls and Vice Chancellors, or any Two of them, to make and issue General Rules and Orders for regulating the Mode and Form of Applications at the Chambers of the Master of the Rolls and Vice Chancellors respectively under this Act, and the Proceedings thereon, and for determining in what Cases and under what Conditions and Restrictions the Determinations of the Master of the Rolls and Vice Chancellors respectively upon or in relation to such Applications shall be subject to Appeal, and the Fees and Allowances to Solicitors of the Court of Chancery, and the Fees to be payable in Money or by Stamps to the Officers of the said Court in respect of such Applications and Proceedings thereon; and such Rules and Orders may from Time to Time be varied by the like Authority, and all such Rules and Orders shall be deemed General Orders of the said Court.

District Courts of Bankruptcy and County Courts to have Jurisdiction in Cases of Charities the Incomes of which do not exceed 30*l.*

XXXII. Where any Charity of which the gross annual Income for the Time being does not exceed Thirty Pounds shall be established or administered or be applicable wholly or partially to or for Objects or Purposes within the District or any Two or more of the Districts of any District Court of Bankruptcy or of any County Court or Courts holden under the Act of the Session holden in the Ninth and Tenth Years of the Reign of Her Majesty, Chapter Ninety-five, and the Appointment or Removal of any Trustee, or any other Relief, Order, or Direction whatsoever concerning such Charity, shall be considered desirable, and such Appointment or Removal, or other Relief, Order, or Direction, might now be made or given by the Court of Chancery in respect either of its ordinary or its special or statutory

statutory Jurisdiction, or by the Lord Chancellor intrusted with the Care and Commitment of the Custody of Lunatics, it shall be lawful for any Person authorized in this Behalf by the Order or Certificate of the said Board, or for the Attorney General, to make Application to such District or County Court, or, as the Case may be, to any One of such District or County Courts, for such Order, Direction, or Relief as the Nature of the Case may require; and such District or County Court shall entertain such Application, and shall hear the Matter in open Court, and shall give such Relief, and make such Orders and Directions in relation to the Matter of such Application, as might now be made or given by the Court of Chancery or by the Lord Chancellor, intrusted as aforesaid, in a Suit regularly instituted, or upon Petition, as the Case may require; and the Clerk of such County Court shall transmit a Copy of such Order or Direction to the Office in *London* of the Registrar of County Courts Judgments, to be there enrolled: Provided always, that no Judge of any District or County Court shall be authorized to vary any Decree, Order, or Direction of the Court of Chancery, or of any Judge thereof, or to make or give any Order or Direction inconsistent or conflicting with any such Decree, Order, or Direction: Provided also, that where Two or more District or County Courts shall have concurrent Jurisdiction with respect to any Charity under this Act, no Application in respect of such Charity shall be made to or entertained by more than One of such District or County Courts at the same Time.

Deputy sitting for County Court Judge not to exercise Jurisdiction.

XXXIII. The Jurisdiction hereby created and conferred on the County Courts with respect to any Charity shall not be exercised by any Deputy or other Person who may for the Time being be appointed to sit and shall be sitting for any such Judge.

Where Two or more Courts have concurrent Jurisdiction, Board to direct to which Court Applications shall be made.

XXXIV. Where Two or more District Courts of Bankruptcy or County Courts shall concurrently have Jurisdiction under this Act with respect to any Charity, it shall be lawful for the said Board to order to which of such Courts any Application with respect to such Charity shall be made; and every such Order shall be conclusive as to the Jurisdiction with respect to the Application referred to in such Order.

Board may direct Cases within the Jurisdiction of a District or County Court to be taken before

XXXV. It shall be lawful for the said Board to direct that any Application as to any Charity within the Jurisdiction of any District Court of Bankruptcy or County Court shall be made before a Judge of the Court of Chancery, or as to any Charity within the Jurisdiction of the Court of Chancery of the County Palatine of *Lancaster*, either before the Chancellor or the Vice Chancellor of the same

a Judge of the Court of Chancery in the first instance.

same County Palatine, or before a Judge of the High Court of Chancery, according to the Provisions herein contained applicable to a Charity the gross annual Income whereof exceeds Thirty Pounds, and in such Case such Application shall be made and may be heard and determined accordingly, in like Manner as if the gross annual Income of such Charity exceeded Thirty Pounds; and upon the Production of the Order or Certificate containing such Direction, or of a Copy thereof, the Application with respect to which such Order or Certificate shall have been made shall not be entertained or proceeded with by such District or County Court.

No Order of District or County Court for the Appointment or Removal of Trustees or Approval of a Scheme to be valid unless confirmed by Board.

XXXVI. Whenever any Order or Decision is made by any District Court of Bankruptcy or County Court for the Appointment or Removal of any Trustee of any Charity, or approving of any Scheme for regulating or directing the Administration of any Charity, or the Estate, Funds, Property, or Income thereof, a Copy of every such Order or Decision shall immediately upon the making thereof be delivered or transmitted by the Deputy Registrar of such District Court or by the Clerk of the County Court, as the Case may be, together with all requisite Particulars, to the said Board, for the Purpose of being considered by them; and no such Order or Decision shall be valid or effectual until the same shall have been approved by the said Board, such Approval to be testified by a Certificate in Writing, signed by the Secretary of the said Board, and no such Approval shall issue from the said Board until One Calendar Month shall have elapsed after the Receipt by the Board of such Copy and Particulars.

Board, if dissatisfied with the Order of District or County Court may remit the Case for Reconsideration, or may transfer the Matter to a Judge of the Court of Chancery.

XXXVII. In case any such Order or Decision as last aforesaid of any District Court of Bankruptcy or County Court shall not be approved by the said Board, it shall be lawful for such Board to remit the same for Reconsideration and Decision by such District or County Court, with such Remarks and Recommendations thereon (if any) as shall seem fit and expedient to such Board, or, in the Discretion of the Board, to order and direct that the Subject Matter to which such Order or Decision relates, together with such Order or Decision, shall be submitted to the Consideration and Decision of a Judge of the Court of Chancery, and in such last-mentioned Case no further Proceedings shall be had or taken in the District or County Court with respect to the Matter in question; and in case the Order or Decision of the District or County Court, on the Reconsideration of any Order or Decision so remitted for Reconsideration, be disapproved as aforesaid by the said Board, such Board shall refer such Orders and Decisions, and the Subject Matter thereof, to a Judge of the Court of Chancery, or, as to any Charity within the Jurisdiction of the Court of

of Chancery of the County Palatine of *Lancaster*, either to the Chancellor or the Vice Chancellor of the same County Palatine, or to a Judge of the High Court of Chancery; and where any Order or Decision is referred to a Judge of the Court of Chancery, or of the Court of Chancery of the said County Palatine of *Lancaster*, under this Provision, such Judge shall have and exercise all such Jurisdiction, Power, and Authority in relation thereto as in the Case of a Charity the gross annual Income whereof exceeds Thirty Pounds, and may make such Order in relation to the Matter of such Order or Decision as to him may seem proper.

How Orders of District or County Court under this Act to be enforced.

XXXVIII. Subject to any Orders to be made by the Lord Chancellor as herein-after mentioned, and to the other Provisions of this Act, all Proceedings to be taken in any District Court of Bankruptcy or County Court, and all Orders and Directions to be made or given by any such District Court or County Court by virtue of the Jurisdiction hereby created and conferred on such Court, shall respectively be subject to the same Rules and Regulations, and have the same Effect, and be registered, enforced, and executed in the same Manner, as the other Proceedings, Orders, Judgments, and Directions of the same Court under its ordinary Jurisdiction, and it shall be lawful for any such District Court, or for any County Court, with the Consent of the Board, to rescind or vary any Order which shall have been previously made by such Court, without Prejudice to any Act or Matter in the meantime done under such Order; and for executing and putting in force any Order to be made by any County Court under this Act, every Judge of any such Court shall and may have and exercise all such Powers as by the Act of the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter Ninety-five, are given for enforcing the Payment of any Debt, Damages, or Costs under the said Act.

Appeal.

XXXIX. Where any Person authorized to make any Application under this Act, (other than Her Majesty's Attorney General acting *ex officio*,) or any other Person who may have been made a Party to any Proceeding upon any Application under this Act, is aggrieved by or dissatisfied with any Order made by any District Court of Bankruptcy or County Court upon any such Application, or any Proceeding thereon, he may, within One Calendar Month after the making of such Order, give Notice in Writing to the said Court, and also to the said Board, that he is desirous to appeal against the same; and if the said Board think it reasonable and proper that such Appeal should be entertained, and give a Certificate to that Effect, such District or County Court shall suspend any Proceedings upon the Order appealed against during such Time as the Circumstances may require; and the said Board, if they so think fit, may require the Person giving any

any such Notice of Appeal to become bound with Two sufficient Sureties, to be approved by the Deputy Registrar of such District Court, or by the Clerk of the County Court, as the Case may be, to the Treasurers of the said Courts respectively, or such other Person as the said Board may see fit, in such Sum as to the said Board shall seem reasonable, to pay such Costs of the Proceedings on the Appeal as shall be ordered to be paid by such Appellant, and also (if the said Board so think fit) to indemnify the Charity against the Costs and Expenses of or attending such Appeal; and every Bond executed under this Provision shall be exempt from Stamp Duty: Provided always, that it shall be lawful for Her Majesty's Attorney General (acting *ex officio*), at any Time within Three Calendar Months after the making of any Order by a District Court or County Court under this Act, to lodge and commence and prosecute an Appeal against such Order, without giving any such Notice or becoming bound as aforesaid, and every such last-mentioned Appeal shall thereupon be allowed by the Order of such District or County Court, and shall have such other Effect as any other Appeal under this Act.

Proceedings on Appeal.

XL. Where any Order allowing an Appeal has been made as aforesaid, the Person thereby allowed to appeal shall within Three Calendar Months present a Petition to the Court of Chancery, setting forth the Order appealed against, and the Order allowing such Appeal, and praying such Relief as the Case may require; and upon the hearing of such Petition the Court may confirm, vary, or reverse the Order appealed against, or may remit such Order to the District Court of Bankruptcy or County Court by which the same was made, with or without any Declaration or Directions of the Court of Chancery in relation thereto, or may proceed in relation to the Charity to which such Order relates as in the Case of an Application under this Act to a Judge of the Court of Chancery at Chambers, and any Judge of such Court sitting at Chambers or in open Court may make or give any such Orders or Directions in relation to the Matter of such Order as he may see fit, or the Court may make such other Order in relation to the Matter of any such Appeal as to the Court may seem just, and as might be made in the Case of a Suit regularly instituted, or a Petition, as the Case may require; and in case the Party allowed to appeal do not within such Three Calendar Months present such Petition of Appeal, the Order against which such Appeal was allowed shall be final; and in case any Costs adjudged on any such Appeal to be paid by the Party allowed to appeal be not paid, such Bond as aforesaid may be put in Suit, and the Money to be recovered on every such Bond shall be applied to indemnify the Charity Estate or the Person damnified, or otherwise in such Manner as the Justice of the

Bond to prosecute Appeal may be put in Suit.

the Case may require, and the Court or Judge by whom such Appeal may have been heard shall think fit.

XLI. Provided always, That no Judge of the Court of Chancery, nor any District Court of Bankruptcy or County Court, shall upon any Proceedings under this Act have Jurisdiction to try or determine the Title at Law or in Equity to any Real or Personal Property, or any Term or Interest therein, as between any Charity, or the Trustee thereof, and any Person holding or claiming such Real or Personal Property, Term, or Interest adversely to such Charity, or to try or determine any Question as to the Existence or Extent of any Charge or Trust.

No Chancery Judge, or District or County Court, in Proceedings under this Act to try Titles, &c.

XLII. Before any Application shall be made to any Judge of the Court of Chancery, or to any District Court of Bankruptcy or County Court, under any of the Provisions herein contained for the Establishment or Alteration of a Scheme or the Appointment or Removal of any Trustees or Trustee, Notice in Writing of such intended Application shall be given in such Form and Manner as the said Board shall have directed; and if the Order be that such Notice be affixed to or near the Door of any Parish or District Church, the Incumbent and Churchwardens of such Parish or District are hereby respectively required to allow such Notice to be affixed and to remain so affixed during such Period, not less than Fifteen Days, as the said Board shall have ordered; and in any Case in which the Order shall be that such Notice shall be affixed to any Place, Evidence that the same has been so affixed shall be deemed and taken as *primâ facie* Evidence that it has remained affixed during the Period prescribed by the Board.

Notice to be published of Application for Schemes or Appointment or Removal of Trustees under this Act.

XLIII. Every Application to any Judge or Court under the Jurisdiction created or conferred by any of the Provisions of this Act, may be made by Her Majesty's Attorney General, or, subject to the Provisions aforesaid, by all or any One or more of the Trustees or Persons administering or claiming to administer, or interested in, the Charity which shall be the Subject of such Application, or any Two or more Inhabitants of any Parish or Place within which the Charity is administered or applicable; and it shall be lawful for Her Majesty's Attorney General for the Time being, acting *ex officio*, to make Application by Petition to the Court of Chancery with respect to any Charity under the Provisions of the Act passed in the Fifty-second Year of King *George* the Third, Chapter One hundred and one, or under the Provisions of any Act or Acts passed or to be passed authorizing the Application to the same Court by Petition according to the Provisions of the said Act.

By whom Applications may be made.

Attorney General may Petition under 52 G. 3. c. 101.

XLIV. For

Statement in Certificate of Board of the Amount of Income of any Charity to be sufficient Evidence for determining the Jurisdiction or Proceedings under this Act.

XLIV. For the Purposes of determining the Jurisdiction under this Act with respect to any Charity, or the Right to appeal from the Determination of a Judge of the Court of Chancery, it shall be lawful for the said Board to declare, according to such Judgment as they may be able to form upon the Returns or Statements before them in relation to any Charity, whether the gross annual Income for the Time being of such Charity does or does not exceed Thirty Pounds or One hundred Pounds, (as the Case may require,) and a Statement in any Certificate or Order of the said Board that according to such Judgment as aforesaid the gross yearly Income of any Charity does or does not exceed Thirty Pounds or One hundred Pounds shall be sufficient Evidence of the Amount of the gross annual Income of such Charity, for the Purpose of determining such Jurisdiction or Right to appeal as aforesaid; and any Certificate or Order made by the said Board under this Act, authorizing any Proceeding or Application concerning any Charity to be taken or made to any District Court of Bankruptcy or County Court or to the Court of Chancery or any Judge thereof, shall state that the gross annual Income for the Time being of such Charity does not exceed Thirty Pounds, or does exceed Thirty Pounds (as the Case may be): Provided always, that where any Charity, or the Trustees thereof, in addition to the principal Endowment for its general Objects and Purposes, shall be possessed of or entitled to any other Endowment for any particular or special Object or Purpose arising out of or in its Nature or Application connected with the general Objects or Purposes of such Charity, it shall be lawful for the said Board, having regard to the Circumstances of each such Case, and to the Object and Extent of the proposed Application and Litigation, to determine whether such Endowment for such particular or special Object or Purpose should, for the Purposes of Jurisdiction and Proceedings under this Act, be considered and treated as forming Part of the general Endowment of the Charity, or as a separate or independent Charity, and such Board shall frame their Certificate or Order accordingly.

Proviso as to particular Endowments.

Lord Chancellor to make Orders for regulating Proceedings before District and County Courts. Judges to regulate Proceedings.

XLV. The Lord Chancellor shall make such Orders for regulating Proceedings by and before the Judges of District Courts of Bankruptcy and County Courts under this Act, and for fixing and determining the Fees to be taken in respect of such Proceedings, as he may see fit; and, subject to such Orders, such Judges may regulate the Proceedings before them respectively so as to render them as summary and inexpensive as conveniently may be.

Reservation of Rights and Privileges of

XLVI. Nothing herein contained shall diminish or detract from any Right or Privilege which by any Rule or Practice of the Court of Chancery,

Chancery, or by the Construction of Law, now subsists for the Preference or the exclusive or special Benefit of the Church of *England*, or the Members of the same Church, in settling any Scheme for the Regulation of any Charity, or in the Appointment or Removal of Trustees, or generally in the Application or Management of any Charity.

Church of England with respect to Charities.

XLVII. The Secretary for the Time being of the said Board shall by virtue of his Appointment be the Treasurer of Public Charities; and such Treasurer shall, for the Purposes of taking, holding, conveying, assigning, transferring, and transmitting Real Property, including Leaseholds for Lives or Years, be a Corporation Sole by the Name of "The Treasurer of Public Charities," and by that Name shall have perpetual Succession, and plead and be impleaded before all Courts, Justices, and others.

Secretary to be Treasurer of Charities; such Treasurer to be a Corporation.

XLVIII. Where any Land, or any Term or Estate therein, holden upon trust for any Charity, shall be vested in any Persons other than the Persons acting in the Administration and Application of the Rents; or where there shall be no Trustees thereof, or the Trustees, or any of them, shall be unwilling to act, or it shall be uncertain in whom such Land, Term or Estate, shall be vested, or all or any of the Persons in whom such Land, Term or Estate, shall be vested, cannot be found, or shall be under Age, lunatic, or of unsound Mind, (whether found by such Inquisition or not), or otherwise incapable of acting, or shall be out of the Jurisdiction or not amenable to the Process of the Court of Chancery, or where by reason of the reduced Number of Trustees or other Causes a valid Appointment of new Trustees cannot be made, or where by reason of the Expenses incident to the Appointment of new Trustees, and the Conveyance or Assignment of such Land, Term or Estate, to such new Trustees, it shall appear to the Court of Chancery, or to any Judge of such Court or of any Court having Jurisdiction with respect to such Charity under this Act, desirable so to do, such Court or Judge may order that such Land, Term or Estate, be vested in such Treasurer, and thereupon the same shall vest in such Treasurer and his Successors for all the Estate and Interest holden in trust for the Charity as aforesaid, without any Conveyance or Assurance thereof; but no such Vesting Order as aforesaid shall be made in respect of any Land, or Term or Estate as aforesaid, holden in trust as aforesaid, vested in a Corporation, without the Consent of the Corporation; and no such Vesting Order shall take effect in respect of any Copyhold Land without the Consent of the Lord of the Manor; and the Court of Chancery, or such Judge, may direct such periodical or other Payment, as such Court or Judge may think fit, to be made to the Lord of the Manor, in

Land holden upon trust for a Charity, subject to Jurisdiction of Court of Chancery and of Judge, may be vested in Treasurer.

Proviso.

in compensation for Fines or other Profits which would have become due upon Death or Admittance of Tenants.

Orders may be made revesting Land, &c. in the Trustees of the Charity.

XLIX. It shall be lawful for any Court or Judge by whom respectively any such Vesting Order may have been made, or for any other Court or Judge having Jurisdiction in the Matter, if it shall so seem fit to such Court or Judge, from Time to Time to order that all or any Part of the Land, Term or Estate, which shall for the Time being be vested in the said Treasurer by virtue of any such Vesting Order as aforesaid, shall be devested, and that the same shall be vested in the acting Trustees or Trustee for the Time being of the Charity; and such last-mentioned Order shall operate to vest such Land, Term and Estate, in the Trustees or Trustee therein named without any Conveyance or Assurance.

Treasurer to be a Bare Trustee.

L. Subject to the Orders and Directions of the Court of Chancery or of any such Judge, such Treasurer shall be deemed a Bare Trustee, and shall permit the Persons acting in the Administration of the Charity to have the Possession, Management, and Control of the Trust Estates, and the Application of the Income thereof, as if the same had been vested in them.

Judge may order Trustees, &c. holding Stock, &c. belonging to a Charity subject to his Jurisdiction to transfer same to official Trustees.

LI. The Secretary for the Time being of the said Board, and such other public Officer or Officers as the Lord Chancellor shall appoint, shall be official Trustees of Charitable Funds, and where Trustees or other Persons having in their Names, or in the Name of any deceased Person of whom they are Representatives, in the Books of the Bank of *England*, or of the *East India* or *South Sea* Company, or of any other public Company, any Annuities, Stock, or Shares, or holding any Government or Parliamentary or other Securities in trust for any Charity, shall be desirous to transfer or deposit the same to or with the said official Trustees in trust for such Charity, or where any Persons shall be desirous of transferring or depositing as aforesaid any Annuities, Stocks, Shares, or Securities for discharging any Legacy or Charge given or made to or for the Benefit of any Charity, or where it shall appear to the Court of Chancery, or to any Judge of such Court, or of any District Court of Bankruptcy, or County Court having Jurisdiction under this Act, that any Annuities, Stock, Shares, or Securities held in trust for any Charity ought, for the Purpose of Security or convenient Administration, to be transferred or deposited as aforesaid, it shall be lawful for such Court or Judge to order the Transfer or Deposit of such Annuities, Stock, Shares, or Securities to or with such official Trustees.

Secretary to keep separate Accounts of

LII. The Secretary of the said Board shall keep separate Accounts of the Annuities, Stock, Shares, and Securities belonging to

to each separate Charity, and the said official Trustees shall pay the Dividends or Interest or Income thereof to the Trustees or Persons acting in the Administration of such Charity, or otherwise dispose thereof, and transfer such Annuities, Stock, Shares, or Securities (when Occasion shall require), as the Court of Chancery, or any Judge of such Court, or of any District Court of Bankruptcy, or County Court having Jurisdiction under this Act, or other lawful Authority, shall direct.

Funds of each Charity.

LIII. It shall be lawful for any Trustees or other Persons having the Custody of any Deeds or Muniments of or relating to such Charity to deposit the same for Security in a Repository which may be provided by the said Board, subject to any Regulations to be made by the said Board under this Act.

Trustees may deposit Deeds, &c. for Security in a Repository provided by the Board.

LIV. Where upon the Application of any Trustees or other Persons concerned in the Management or Administration of any Charity, or interested in the Benefits thereof (and after such Examination or Inquiry as the Board may think necessary in relation thereto), or upon any Report of an Inspector, or Information otherwise obtained by the said Board under this Act, with relation to any Charity, it shall appear to the said Board to be desirable to have a new Scheme for the Application or Management of the Charity, and such new Scheme as contemplated or considered desirable by the Board cannot be, or it shall in the Opinion of the Board be doubtful whether it can be carried into complete effect by the Court of Chancery, or by any District or County Court under the Jurisdiction created by this Act, or otherwise than by the Authority of Parliament, it shall be lawful for the said Board in every such Case provisionally to approve and certify such new Scheme in the Manner and subject to the Regulations herein-after mentioned.

Power to Board to frame Schemes for the Appropriation of Charitable Property to varied Trusts.

LV. One Month at least before any such new Scheme shall be so provisionally approved, Notice thereof shall be given in such Manner as the Board may in each Case consider proper or expedient for ensuring due Publicity, and every such Notice shall contain such Particulars of the proposed Scheme as the said Board think fit, and as shall be deemed by the said Board sufficient to show the Nature of such Scheme, and where the Nature thereof cannot conveniently be shown in the said Notice, such Notice shall refer to some convenient Place within the Parish or District, and to the Office in *London* of the Registrar of County Courts Judgments, where a Copy of the proposed Scheme shall be deposited and may be inspected, and every such Notice shall require any Objections to such Scheme to be stated or transmitted to the said Board or their Secretary within One Month from the Time when the Notice shall have been given.

Notice to be given before Approval of Schemes, and Objections may be submitted for the Consideration of the Board.

Board may alter or modify or approve of Schemes.

LVI. If after such Notice as aforesaid any Objections or Suggestions shall be made, the Board shall consider the same, and may thereupon, if to them it shall seem fit, alter or modify the Scheme according to any such Objections or Suggestions; and after all such Objections and Suggestions, if any, have been disposed of, or if no such Objections or Suggestions shall have been made, the Board, in case they shall not think fit to refer such Scheme to an Inspector under the Provision next herein-after contained, may proceed to approve such Scheme, and to certify the same in manner herein-after mentioned.

The Matter of Schemes may be referred to an Inspector for Local Inquiry.

LVII. Upon the Requisition of any Person interested in the Charity in question (in case the said Board after due Consideration shall be of Opinion that there are sufficient Grounds for complying with such Requisition), or in any other Case, if the said Board shall consider it desirable, the Matter of any Scheme in question may be referred by the said Board to One of their Inspectors, and such Inspector shall thereupon proceed to make a local Inquiry and Examination into the Matter of the Scheme in question, and for the Purposes of such Inquiry, such Inspector may hold a Sitting or Sittings in some convenient Place in the Parish or One of the Parishes or the District to or in which respectively the Charity in question is wholly or partially situated or is administered, and may take and receive any Evidence and Information, and hear and inquire into any Objections or Questions relating to the Scheme or Charity in question, and may from Time to Time adjourn any such Sitting, and public Notice shall be given by such Inspector of every such Sitting (except an adjourned Sitting) Fourteen Days at the least before the holding thereof, in such other Mode as in the Judgment of the said Board shall be sufficient to ensure Publicity.

Inspectors to report the Result of Inquiry to the Board.

LVIII. Every Inspector to whom any such Matter shall be referred shall report in Writing to the said Board the Result of his Inquiry, and whether in his Opinion the Scheme in question should be approved with or without any Alteration or Modification thereof, and such Report shall specify or indicate the Alterations (if any) which such Inspector shall consider desirable, with the Reasons for the same, and also the Nature of the Objections (if any) which shall have been made to the Scheme, and the Opinion of the said Inspector thereon, and the said Board shall consider such Report, and if, as the Result of such Report or after further Inquiry, they shall be satisfied therewith, they may proceed to approve the Scheme in question either with or without any Alteration, and to certify the same in manner herein-after mentioned.

Schemes when approved to be

LIX. Every Scheme to be approved by the said Board shall be certified by them, and for that Purpose shall be embodied in a Certifi-

a Certificate to be made by the said Board, and sealed with their Seal; and in every Case a Copy of such Certificate shall be deposited in some convenient Place within the Parish or One of the Parishes or the District in which the Charity in question shall wholly or partially be situated or administered, and at the Office in *London* of the Registrar of County Courts Judgments, and a Notice shall also be given, in such Manner as the Board shall direct, which Notice shall refer to the Certificate so deposited, and shall state the Intention of the Board to proceed with the Scheme thereby certified.

certified by the Board.

Copy of such Certificate to be deposited in the Parish or District, and Notice given.

LX. The said Board shall in the Month of *February* in every Year make a Report to Her Majesty of all their Proceedings during the preceding Year up to the Thirty-first Day of *December* then last, and such Report shall, within Fourteen Days after the making thereof, be laid before both Houses of Parliament, if Parliament be then sitting, or otherwise within Fourteen Days after the Meeting thereof; and in such Report the said Board shall specially distinguish and set forth in full all the Schemes (if any) approved by them under the Provisions lastly herein-before contained, together with the Grounds of such their Approval, and the Objections (if any) which have been made thereto, and all Proceedings had in respect of such Objections and the Grounds on which any such Objections have been over-ruled; and in case it shall be enacted by any Act of Parliament that any such Scheme or Schemes so certified shall be confirmed and take effect, either with or without any Alterations or Modifications thereof respectively, every such Act shall be deemed a Public General Act.

Annual Report to be laid before Parliament, which shall set forth all the Schemes approved

LXI. The Trustees or Persons acting in the Administration of every Charity shall, in Books to be kept by them for that Purpose, regularly enter or cause to be entered full and true Accounts of all Money received and paid respectively on account of such Charity, and on or before the Twenty-fifth Day of *March* in every Year, or on or before such other Day as shall or may be fixed and appointed for that Purpose by the said Board, shall cause a Statement in Writing to be made of the Income and Revenues, whether actually paid or then due, and the actual Receipts and Expenditure of such Charity for the Year ending on the Thirty-first Day of *December* then next preceding, or on some other convenient Day to be fixed and appointed for that Purpose by the said Board, and also a Balance Sheet containing a clear Statement of the Balance of such Account, which Statement and Balance Sheet respectively shall be certified under the Hand of some One or more of such Trustees or Persons (and audited by the Auditor of such Charity, if any there be); and as to every Charity whose gross annual Income for the Time being shall not exceed Thirty Pounds, every such Statement and Balance Sheet

Accounts of Trustees of Charities to be delivered to the Clerks of County Courts, Clerks of the Peace, and to the Board.

Sheet respectively, or a Duplicate or true Copy thereof respectively, shall be delivered or sent by such Trustees or Persons free of Charge to the Clerk of the County Court or some One of the County Courts (if more than One) to whose Jurisdiction such Charity may be subject under this Act (in case such Charity be subject to the Jurisdiction of any County Court under this Act), or if such Charity be not subject to the Jurisdiction of any County Court, then to the Clerk of the County Court for the District or any One of the Districts (if more than One) wherein or nearest adjoining whereto such Charity is established, or the Property thereof (in whole or in part) is situate or administered and distributed; and as to every Charity whose gross annual Income for the Time being shall exceed Thirty Pounds, every such Statement and Balance Sheet, or a Duplicate or true Copy thereof respectively (unless the said Board shall otherwise direct), shall be delivered or sent free of Charge to the Clerk of the Peace for the County or the Division of the County, or some One of the Counties or Divisions of Counties (if more than One) in which the Charity is established, or the Property thereof is wholly or partially situated or administered and distributed; and every such Statement and Balance Sheet, or a Duplicate or true Copy thereof respectively, shall be kept and registered without Fee or Reward by the Registrar of County Courts Judgments or the Clerk of such County Court, and the Clerk of the Peace of such County or Division respectively, and shall be open to the Inspection of all Persons, at all seasonable Hours, on Payment of the Sum of One Shilling to the Registrar or Clerk for every such Inspection; and any Person may require and have a Copy of any such Statement and Balance Sheet, or of any Part thereof, paying therefor to such Registrar or Clerk after the Rate of Twopence for every Seventy-two Words or Figures; and a Duplicate or Copy of every such Statement and Balance Sheet to be made according to the foregoing Provision, so certified and audited as aforesaid, shall be delivered or transmitted, through the Post or otherwise, free of Charge, by such Trustees or other Persons, to the said Board, on or before the said Twenty-fifth Day of *March* in every Year, or such other Day as may be fixed and appointed by the said Board as aforesaid; and the said Board may from Time to Time by any Order direct that the Statement and Balance Sheet, or a Duplicate or true Copy thereof respectively, of the Accounts of any Charity whose gross annual Income exceeds Thirty Pounds shall be delivered or sent to the Clerk of the County Court in the same Manner as if the Income of such Charity did not exceed Thirty Pounds; and the said Board may make and give such further and other Orders and Directions in relation to the Delivery and Publication of such Accounts, and the Form thereof, as they may think fit,

fit; which Directions and Orders shall be obligatory on and obeyed by all such Trustees and Persons as aforesaid.

Exemptions from the Operation of Act.

LXII. This Act shall not extend to the Universities of *Oxford*, *Cambridge*, *London*, or *Durham*, or any College or Hall in the said Universities of *Oxford*, *Cambridge*, and *Durham*, or to any Cathedral or Collegiate Church, or to any Building registered as a Place of Meeting for Religious Worship with the Registrar General of Births, Deaths, or Marriages in *England* and *Wales*, and *bonâ fide* used as a Place of Meeting for Religious Worship; nor shall this Act, for the Period of Two Years from the passing thereof, extend or be in any Manner applied to Charities or Institutions, the Funds or Income of which are applicable exclusively for the Benefit of Persons of the Roman Catholic Persuasion, and which are under the Superintendence or Control of Persons of that Persuasion, nor shall this Act extend or be applied to the Commissioners of Queen *Anne*'s Bounty, or to the *British Museum*, or to any Friendly or Benefit Society, or Savings Bank, or any Institution, Establishment, or Society for religious or other charitable Purposes, or to the Auxiliary or Branch Associations connected therewith, wholly maintained by voluntary Contributions, or any Bookselling or Publishing Business carried on by or under the Direction of any Society wholly or partially exempted from this Act, so far as such Business is or shall be carried on by means of voluntary Contributions only, or the Capital or Stock of such Business; and where any Charity is maintained partly by voluntary Subscriptions and partly by Income arising from any Endowment, the Powers and Provisions of the Act shall, with respect to such Charity, extend and apply to the Income from Endowment only, to the Exclusion of voluntary Subscriptions, and the Application thereof; and no Donation or Bequest unto or in trust for any such Charity as last aforesaid, of which no special Application or Appropriation shall be directed or declared by the Donor or Testator, and which may legally be applied by the governing or managing Body of such Charity as Income in aid of the voluntary Subscriptions, shall be subject to the Jurisdiction or Control of the said Board, or the Powers or Provisions of this Act; and no Portion of any such Donation or Bequest as last aforesaid, or of any voluntary Subscription, which is now or shall or may from Time to Time be set apart or appropriated and invested by the governing or managing Body of the Charity, for the Purpose of being held and applied or expended for or to some defined and specific Object or Purpose connected with such Charity, in pursuance of any Rule or Resolution made or adopted by the governing or managing Body of such Charity, or of any Donation or Bequest in aid of any Fund so set apart or appropriated for any such Object or Purpose as aforesaid, shall be

Provisions as to Charities supported partly by voluntary Subscriptions.

 subject

subject to the Jurisdiction or Control of the said Board or the Powers or Provisions of this Act; and nothing in this Act shall subject the Funds or Property of any Missionary or other similar Society, or the Missionaries, Teachers, or Officers of such Society, or of any Branch thereof, which Funds or Property shall not be within the Limits of *England* or *Wales*, to the Jurisdiction of the said Board: Provided always, that the said Exemption shall not extend to any Cathedral, Collegiate, Chapter, or other Schools.

Exempted Charities may petition Commissioners to have Benefit of Act.

LXIII. It shall be lawful for any of the Charities exempted from the Operation of this Act, by Order or Resolution duly made in conformity with the Constitution or Rules of such Charity (and which in that Case only shall be binding), to apply by Petition to the Commissioners to have the Benefit of this Act either generally or as to any of the Provisions herein contained; and such Petition shall be under the Seal of such Charity if incorporated, and if not, then under the Hands of the major Part of the Trustees and governing Body of such Charity; and in such Case it shall be lawful for the Commissioners, if they shall think fit, to make an Order in conformity with such Application, and such Charity shall thenceforth be entitled to and be bound by all the Provisions of this Act, if admitted generally thereto, or by such of the Enactments thereof as shall be mentioned and specified in such Order of the Commissioners, but in either Case in the same Manner as if such Charity had not been exempted from this Act, or such Exemption had not extended to the Enactments specified in such Order.

Disputes among Members of exempted Charities may be referred to Arbitration of Commissioners.

LXIV. Provided also, That if any Question or Dispute shall arise among the Members of any Charity exempted from the Operation of this Act in relation to any Office, or the Fitness or Disqualification of any Trustee or Officer, or his Election or Removal, or generally in relation to the Management of the Charity, it shall be lawful for Two Thirds of the Members present at any Special Meeting, duly convened by Notice for the Purpose in the same Manner in which Meetings of such Charity are by the Rules thereof appointed to be held and convened, to refer such Question or Dispute to the Arbitration of the Commissioners, who shall accept such Reference and act therein as Arbitrators, and their Award shall be final, and may be made a Rule of Her Majesty's High Court of Chancery.

Legal Estate of Lands now vested in Municipal Corporations on Charitable Trusts to be

LXV. The legal Estate in all Lands which at the Time of the passing of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six, was vested in the Body Corporate of any Borough which became subject to the Provisions of the said Act, or in any One or more of the Members of such Body Corporate,

Corporate, in his or their corporate Capacity, solely or together with any Person or Persons elected solely by such Body Corporate, or solely by any particular Number, Class, or Description of Members of such Body Corporate, in whole or in part in trust or for the Benefit of any Charitable Uses or Trusts whatsoever, and which legal Estate shall not have been since duly conveyed or assured to and vested in the Trustees appointed by the Lord High Chancellor under the Provisions of the said Act, or such of them as shall be surviving and continuing Trustees, or otherwise lawfully conveyed, aliened, or disposed of by such Body Corporate or Member or Members thereof, shall from and immediately after the passing of this Act, and without any actual Conveyance, Assignment, or other Assurance thereof, be vested in the Trustees so appointed, or such of them as shall be surviving and continuing Trustees under such Appointment as aforesaid, according to the respective Estates and Interests therein, and subject to such and the same Charges and Incumbrances and upon such and the same Trusts as the same were respectively subject to previously to such vesting; and in every Case, upon the Death, Resignation, or Removal of any of the Trustees, and upon any Appointment of any new Trustee or Trustees respectively, the legal Estate in the same Lands, and in all other Lands subject to any such Charitable Uses or Trusts which may for the Time being be vested in the Trustees or any of them, or in any Persons or the Heirs or Devisees of any Person who may have died, resigned, or been removed, shall vest in the Persons who after such Death, Resignation, or Removal, and such Appointment of such new Trustee or Trustees respectively, shall continue or be the Trustees for the Time being, without any Conveyance or Assurance whatsoever.

vested in Trustees. 5 & 6 W. 4. c. 76.

LXVI. In the Construction of this Act, except where the Context or other Provisions of the Act may require a different Construction, the Expression "Court of Chancery" shall mean and include the Master of the Rolls and every Judge of the Court of Chancery in *England*; the Expression "Lord Chancellor" shall mean and include the Lord Chancellor of *Great Britain* and the Lord Keeper and Commissioners of the Great Seal of *Great Britain* for the Time being; the Expressions "District Court of Bankruptcy" and "District Court" shall mean and include every District Court of Bankruptcy established or to be established under the Act of the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Twenty-two, or under any other Act or Acts passed or to be passed for the Alteration or Amendment or the Extension of the same Act, or for the Establishment of any District Court or Courts of Bankruptcy in *England* or *Wales*, and every Commissioner or Judge of every such District Court; the Expression "County Court" shall mean and include every County Court

Interpretation of Terms

Court holden or established or to be holden or established under the Act of the Ninth and Tenth Years of Her Majesty, Chapter Ninety-five, or any Act or Acts passed or to be passed for the Alteration or Extension of the same Act, and every Judge of any such Court; the Expression "Charity" shall mean every endowed Foundation and Institution taking or to take Effect in *England* or *Wales*, and coming within the Meaning, Purview, or Interpretation of the Statute of the Forty-third Year of Queen *Elizabeth*, Chapter Four, or as to which, or the Administration of the Revenues or Property whereof, the Court of Chancery has or may exercise Jurisdiction; the Expression "Trustee" of any Charity shall mean and include every Person and Corporation seised or possessed of or entitled to any Real or Personal Estate, or any Interest therein, in trust for or for the Benefit of such Charity, or all or any of the Objects or Purposes thereof, and every Member of any such Corporation; and the Expression "the Board" shall mean the said Charity Commissioners sitting as a Board under this Act; and the Expression "Endowment" shall mean and include all Lands and Real Estate whatsoever, of any Tenure, and any Charge thereon, or Interest therein, and all Stocks, Funds, Monies, Securities, Investments, and Personal Estate whatsoever, which shall for the Time being belong to or be held in trust for any Charity, or for all or any of the Objects or Purposes thereof; and the Expression "Land" shall extend to and include Manors, Messuages, Buildings, Tenements, and Hereditaments, corporeal and incorporeal, of every Tenure and Description.

Extent of Act.

LXVII. This Act shall not extend to *Scotland* or *Ireland*.

Short Title.

LXVIII. This Act may be cited as "The Charitable Trusts Act, 1853."

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